

CALIFORNIA LEGISLATURE

1950 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, March 6, 1950

The Assembly met at 12.15 p.m., pursuant to the provisions of the Proclamation of His Excellency, Earl Warren, Governor of the State of California, dated March 5, 1950, convening the Legislature of the State of California on this day in extraordinary session.

Arthur A. Ohnimus, Chief Clerk of the Assembly for the 1950 Regular (Budget) Session, presiding.

ANNOUNCEMENT

Arthur A. Ohnimus, Chief Clerk of the Assembly, announced that, pursuant to the requirements of the Government Code, Section 9150, the following officers of the Assembly of the 1950 Regular (Budget) Session of the Legislature were present, and in their respective positions: Arthur A. Ohnimus, Chief Clerk; Geraldine B. Hadsell, Minute Clerk; and Wilkie Ogg, Sergeant-at-Arms.

REQUEST FOR UNANIMOUS CONSENT THAT PRAYER BE PRINTED

Mr. Dickey asked for, and was granted, unanimous consent that the prayer offered by the Chaplain, Dr. Torrance Phelps, during this morning's 1950 Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

PRAYER

Upon invitation of the Chief Clerk, the following prayer was offered by Dr. Torrance Phelps, Chaplain of the Assembly for the 1950 Regular (Budget) Session:

Infinite God: We rejoice that we meet again in this historic place, and for the opportunity of living in this great State

For the beauty of our world, for the mountains with their cascades, and for the valleys blossoming with wild flowers.

Inspire this Assembly with wisdom, guide the Speaker and the Governor, and the President of this United States.

May we have sympathy for any of our numbers who have been in trouble or sorrow, and work together in mutuality for all the people.

Above all may we defend our Nation as the one hope of all free peoples, and pray that other nations may have the sense to see that Democracy is the guarantee of prosperity and peace.—AMEN.

PROCLAMATION OF THE GOVERNOR

The Chief Clerk directed the Assistant Clerk to read the Proclamation of the Governor convening the Legislature in extraordinary session. Whereupon the Assistant Clerk read the following Proclamation:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, An extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session; now, therefore,

I, EARL WARREN, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on Monday, the sixth day of March, 1950, at 12 15 p m of said day for the following purpose and to legislate upon the following subject:

To consider and act upon legislation to change the compensation for public service in counties and for judicial officers and attaches

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of March, 1950.

[SEAL]

EARL WARREN, Governor of California

ATTEST: FRANK M. JORDAN, Secretary of State

By: CHAS. J. HAGERTY, Deputy Secretary of State

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, March 6, 1950

*The Honorable Members of the Assembly
California State Legislature*

GENTLEMEN At the request of the President pro Tempore of the Senate and the Speaker of the Assembly I have called you into an extraordinary session to meet at 12 15 p m. on Monday, March 6th

The purpose of this session is to permit the correction of an error in a county government bill fixing salaries in one county, enacted by the Legislature at its regular session last year and to consider such other county government bills as you may desire.

It is necessary to call an extraordinary session on this item alone and it cannot be included in the extraordinary session which I have called earlier because of the provisions of our Constitution relative to measures fixing the salaries of county officers. Such measures cannot be urgency measures. Neither can they change the salary of a county officer during his term or after his election. Some such officers will be elected at the primary election to be held on June 6th of this year. To affect the salary of any officer so elected, such measure must be adopted at a session which adjourns not less than 90 days prior to June 6th. This means that such a session must adjourn by midnight of Tuesday, March 7th.

For this reason I have issued a Proclamation calling you into extraordinary session on this one subject with the hope you may be able to correct the error in this one measure previously enacted by you and to enact such other measures on the subject as you may find advisable.

Respectfully submitted,

EARL WARREN, Governor

ANNOUNCEMENT

The Chief Clerk announced that the next order of business was the nomination and election of officers for the 1950 Second Extraordinary Session of the Assembly, and declared that nominations for officers of the Assembly were now in order

RESOLUTIONS

The following resolution was offered :

By Mr. Dickey :

House Resolution No. 1

Resolved by the Assembly of the State of California. That the following named persons constitute the officers of the Assembly for the 1950 (Second Extraordinary) Session, with the per diem as fixed by statute or resolution :

Hon. Sam L. Collins.....	<i>Speaker</i>
Hon. Thomas A. Maloney.....	<i>Speaker pro Tempore</i>
Arthur A. Ohnimus.....	<i>Chief Clerk</i>
Geraldine B. Hadsell.....	<i>Minute Clerk</i>
Wilkie Ogg.....	<i>Sergeant-at-Arms</i>
Dr. Torrance Phelps.....	<i>Chaplain</i>
Andrew J. Cecchettiini.....	<i>Chief Assistant Sergeant-at-Arms</i>

Request for Unanimous Consent

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

Resolution read.

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

AYLS—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Huckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—73.

NOES—None.

APPOINTMENT OF SELECT COMMITTEES

Chief Clerk Arthur A. Ohnimus announced the appointment of Messrs Dickey, Bennett, and Stanley as a Select Committee to escort the Hon. Sam L. Collins, Speaker-elect, to the rostrum

Chief Clerk Arthur A. Ohnimus announced the appointment of Messrs Dolwig, Berry, and Luckel as a Select Committee to escort the Hon. Thomas A. Maloney, Speaker pro Tempore-elect, to the rostrum.

OATHS OF OFFICE ADMINISTERED

Hon. Sam L. Collins, Speaker-elect; Hon. Thomas A. Maloney, Speaker pro Tempore-elect; Arthur A. Ohnimus, Chief Clerk-elect; Geraldine B. Hadsell, Minute Clerk-elect; Wilkie Ogg, Sergeant-at-Arms-elect; and Andrew J. Cecchettiini, Chief Assistant Sergeant-at-Arms-elect; took and subscribed to the following oath, administer by Hon. Frank M. Jordan, Secretary of State.

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

Speaker Presiding

At 12 19 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

COMMITTEE FROM THE SENATE

Senators Way, Sutton, and Gibson appeared before the bar of the Assembly, and announced that the Senate had organized, and was now ready to proceed with the regular business.

**REQUEST FOR UNANIMOUS CONSENT THAT ALL RESOLUTIONS
BEING HELD AT DESK BE DEEMED READ**

Mr. Dickey asked for, and was granted, unanimous consent that all resolutions now pending at the desk be deemed read, and adopted, and that proper action in accordance with the provisions of the resolutions be taken.

RESOLUTIONS

The following resolutions were offered:

Mr. Dickey:

House Resolution No. 2

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

Request for Unanimous Consent

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

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 2, the Speaker announced the appointment of Messrs. Hoffman, Berry, Coats, George D. Collins, and Connolly as such Select Committee to wait upon the Governor.

By Mr. Dickey:

House Resolution No. 3

Resolved by the Assembly of the State of California. That the Speaker of the Assembly appoint a Committee of Three to inform the Senate that the Assembly is in session pursuant to the Proclamation of His Excellency, the Governor, dated the fifth day of March, 1950, and ready for the transaction of legislative business, with the following officers, to wit

Hon. Sam L. Collins	-----	<i>Speaker</i>
Hon. Thomas A. Maloney	-----	<i>Speaker pro Tempore</i>
Arthur A. Ohnimus	-----	<i>Chief Clerk</i>
Geraldine B. Hadsell	-----	<i>Minute Clerk</i>
Wilkie Ogg	-----	<i>Sergeant-at-Arms</i>
Dr. Torrance Phelps	-----	<i>Chaplain</i>
Andrew J. Cecchetti	-----	<i>Chief Assistant Sergeant-at-Arms</i>

Request for Unanimous Consent

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

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 3, the Speaker announced the appointment of Messrs. Kirkwood, Cloyed, and Moss as such Select Committee to wait upon the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 6, 1950

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

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

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

REPORTS OF SELECT COMMITTEES

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

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

RECESS

At 12.23 p.m., on motion of Mr. Dickey, the Assembly recessed until 3.30 p.m.

REASSEMBLED

At 3.30 p.m., the Assembly reconvened
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 6, 1950

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

Senate Bill No. 1

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1—An act to amend Section 28142 of the Government Code, relating to county officers' salaries.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Lindsay:

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

Resolution read.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyd, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinchley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—67.

NOES—None.

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

CONSIDERATION OF SENATE BILL NO. 1

Senate Bill No. 1—An act to amend Section 28142 of the Government Code, relating to county officers' salaries.

Bill read second time

Senate Bill No. 1—An act to amend Section 28142 of the Government Code, relating to county officers' salaries

Bill read third time.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyd, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinchley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 1: By Mr. Sam L. Collins—Relative to adjournment sine die of the 1950 (Second Extraordinary) Session of the Legislature of the State of California.

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

Assembly Concurrent Resolution No. 1—Relative to adjournment sine die of the 1950 (Second Extraordinary) Session of the Legislature of the State of California.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

RECESS

At 3.50 p.m., on motion of Mr. Geddes, the Assembly recessed until 4.30 p.m.

REASSEMBLED

At 4.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Obnimus at the desk

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 6, 1950

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

Assembly Concurrent Resolution No. 1

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

Above resolution ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 4

Resolved by the Assembly of the State of California, That each and every person heretofore employed by the Assembly is hereby stricken from the list of Assembly attaches, and the names stricken from the pay roll of the Assembly, to take effect upon the completion of work on Monday, March 6, 1950

Request for Unanimous Consent

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

Resolution read, and adopted.

By Mr. Dickey:

House Resolution No. 5

Resolved. That the Speaker appoint a Committee of Three to wait upon the Senate and inform it that the Assembly has concluded its labors and ask if it has any further message to deliver to this body.

Request for Unanimous Consent

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

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 5, Speaker Sam L. Collins appointed Messrs. Morris, Huyek, and Burke as such Select Committee to wait upon the Senate.

By Mr. Dickey:

House Resolution No. 6

Resolved, That the Speaker appoint a Committee of Five to wait upon His Excellency, the Governor of the State of California, and inform him that the Assembly has concluded its labors, is ready to adjourn, and awaits his further pleasure.

Request for Unanimous Consent

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

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 6, Speaker Sam L. Collins announced the appointment of Mrs. Niehouse and Messrs. Smith, Lowrey, Erwin, and Bennett as such Select Committee to wait upon the Governor.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1950

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 1—Relative to adjournment sine die of the 1950 (Second Extraordinary) Session of the Legislature of the State of California; And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixth day of March, 1950, at 5.45 p. m.

COMMITTEE FROM THE SENATE

Senators Mayo, Coombs, and Abshire appeared before the bar of the Assembly, and announced that the Senate had concluded its labors and was now ready to adjourn sine die.

REPORTS OF SELECT COMMITTEES

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

The Select Committee appointed to wait upon the Senate reported that it had performed its duties.

MOTION TO APPROVE JOURNAL

Upon motion of Mr. Dickey, the Journal for today, Monday, March 6, 1950, was approved as corrected by the Minute Clerk.

ADJOURNMENT SINE DIE

At 6 p. m., on Monday, March 6, 1950, in accordance with the provisions of Assembly Concurrent Resolution No. 1, the Honorable Sam L. Collins, Speaker of the Assembly, announced that the time for final adjournment of the 1950 Second Extraordinary Session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned sine die.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk