

CALIFORNIA LEGISLATURE

1950 THIRD EXTRAORDINARY SESSION

# SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, September 20, 1950

The Senate met at 12 m. pursuant to the provisions of the Proclamation of His Excellency, Earl Warren, Governor of the State of California, dated September 14, 1950, convening the Legislature of the State of California on this day in extraordinary session.

Lieutenant Governor Goodwin J. Knight, President of the Senate of the 1950 Regular Session, in the chair, called the Senate to order.

Pursuant to the provisions of Section 9150 of the Government Code, Joseph A. Beek, Secretary of the Senate; John F. Lea, Minute Clerk of the Senate; Joseph F. Nolan, Sergeant-at-Arms of the Senate, were present and occupied their respective positions.

## ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

Quorum present.

## PRAYER

By invitation of the President, prayer was offered by Reverend Nelson E. Hinman, Chaplain of the Senate for the 1950 Regular Session.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day: Senator Hulse, on motion of Senator Powers, due to legislative business.

Senator Collier, on motion of Senator Powers, due to legislative business.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John R. Macready of Merced and Alfonse De Chavez of Newman.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. M. F. Stone and Mrs. Carl Setzer of Sacramento and Mrs. Arthur Schwanke of Oak Park, Illinois.

On request of Senators O'Gara and Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Marion Kent of San Mateo.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Leland Long and Miss Barbara Long of Sacramento.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Howard Twitchell of Folsom and Robert Fullenwider of Riverside.

On request of Senator Judah, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Helen Clemensen and Miss Lucille Hyer of Santa Cruz.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. James A. Mathews, President; Mrs. Frank Walker, Secretary; and Otto Norgaard, Director, Iowa Association of Northern California Inc., all of Sacramento.

**PROCLAMATION OF THE GOVERNOR**

The President of the Senate directed the Secretary to read the Proclamation of the Governor convening the Legislature in extraordinary session.

Whereupon the Secretary read the following proclamation:

**Proclamation****EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA**

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 Wednesday, the twentieth day of September, 1950, at 12 o'clock noon of said day for the following purposes and to legislate upon the following subjects:

1. To consider and act upon legislation relating to civil defense, disaster relief and subversive activities, and civil and military services in connection therewith.

2. To consider and act upon legislation to authorize state agencies to make and carry out contracts with the United States for work or services in furtherance of military or naval activities of the United States.

3. To consider and act upon legislation to provide for and facilitate registration and voting by persons in the armed forces and others absent from their place of residence in time of hostilities.

4. To consider and act upon legislation relating to the rights of public officers and employees to return to office or employment after service with the armed forces of the United States or this State, and legislation relating to the retirement rights of members of state or local retirement systems who serve in such armed forces.

5. To consider and act upon legislation relating to educational benefits for veterans and dependents of veterans and assistance to such persons in presenting and pursuing claims against the United States and establishing rights under the laws of the United States.

6. To consider and act upon legislation relating to the amounts, purposes, and repayment of apportionments from the Public School Building Loan Fund.

7. To consider and act upon legislation relating to the protection and care of and assistance to children, needy persons and others especially in need thereof, and particularly legislation in conformity with the Social Security Act Amendments of 1950 (H. R. 6000).

8. To consider and act upon legislation to provide for the transfer of funds in any appropriation for major construction, improvements, and equipment for the Department of Motor Vehicles, the Department of California Highway Patrol, or for state office buildings, to any other appropriation heretofore made for major construction, improvements and equipment.

9. To approve or reject charters and charter amendments of cities, cities and counties, and counties, ratified by the electors pursuant to the Constitution of the State of California.

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

EARL WARREN, Governor

(SEAL)

ATTEST: FRANK M. JORDAN, Secretary of State

### RESOLUTIONS

The following resolutions were offered:

By Senator Swing:

#### Senate Resolution No. 1

*Resolved*, That the Senate do now organize and proceed to elect officers and employees for this 1950 Third Extraordinary Session.

Resolution read, and on motion of Senator Swing, adopted.

By Senators Ward and Crittenden:

#### Senate Resolution No. 2

*Resolved*, That Senator Harold J. Powers be and he is hereby elected President pro Tempore of the Senate; that Joseph A. Beek be and he is hereby elected Secretary of the Senate; that Joseph F. Nolan be and he is hereby elected Sergeant-at-Arms of the Senate; that John F. Lea be and he is hereby elected Minute Clerk of the Senate; that Rev. Nelson E. Hinman be and he is hereby elected Chaplain of the Senate.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

NOES—None.

### OATHS OF OFFICE ADMINISTERED

The newly elected officers of the Senate, Senator Harold J. Powers, President pro Tempore; Joseph A. Beek, Secretary of the Senate; Joseph F. Nolan, Sergeant-at-Arms; John F. Lea, Minute Clerk; and Rev. Nelson E. Hinman, Chaplain; took and subscribed to the following oath administered by the Honorable Paul Peek, Associate Justice of the Third District Court of Appeal.

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 to the best of my ability.

**RESOLUTIONS**

The following resolutions were offered :

By Senator Powers :

**Senate Resolution No. 3**

*Resolved*, That the following members be and the same are hereby elected members of the Senate Committee on Rules :

Senators Brown, Hatfield, Hulse, and Burns.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

**NOES**—None.

By Senator Cunningham :

**Senate Resolution No. 4**

*Resolved*, That the President of the Senate appoint a Special Committee of Four Senators to notify the Governor that the Senate is now duly organized and is ready to receive any communications he may have to make.

Resolution read, and on motion of Senator Cunningham, adopted.

**Appointment of Special Committee**

The President announced, in accordance with the above resolution, the appointment of Senators Cunningham, Swing, Rich, and Crittenden.

By Senator Regan :

**Senate Resolution No. 5**

*Resolved*, That the President of the Senate appoint a Special Committee of Four Senators to notify the Assembly that the Senate is now duly organized and is ready to receive any communication it may have to make.

Resolution read, and on motion of Senator Regan, adopted.

**Appointment of Special Committee**

The President announced, in accordance with the above resolution, the appointment of Senators Regan, Miller, Mayo, and Burns.

By Rules Committee :

**Senate Resolution No. 6****Relative to the Standing Rules of the Senate**

*Resolved by the Senate of the State of California*, That with the exceptions hereinafter set forth the Standing Rules of the Senate for the 1950 Regular Session are hereby adopted as the Standing Rules of the Senate for the 1950 (Third Extraordinary) Session. Said exceptions are as follows :

1. Standing Rule No. 56 reads as follows :

56. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this Rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and the President pro Tempore are charged with the enforcement of this Rule, and this Rule cannot be suspended except by a two-thirds vote of the entire Senate.

This Rule shall not apply to members of either house of the Legislature, officers of the State or other public agencies.

2. Standing Rule No. 57 (a new rule) reads as follows:

57. In addition to any other committee provided for by these rules, there shall be a committee to be known as and called the Special Senate Committee on Legislative Representation, which is hereby declared to be a continuing body authorized to act both during and between sessions of the Legislature.

The committee shall have the rights, powers and duties prescribed in Section 9909 of the Government Code, specifically including but not limited to the authority to grant certificates of registration as legislative advocates, and all the rights and powers of legislative investigating committees as provided by the Joint Rules of the Senate and Assembly.

The committee shall study and analyze all facts relating to legislative representation and the regulation thereof, and shall report thereon to the Legislature at each general session and from time to time as the committee deems necessary, including in the reports its recommendations for appropriate legislation.

The committee shall consist of five Members of the Senate to be selected by majority vote of the Senate at this session and at each general session of the Legislature. No more than three members of the committee shall be from any one political party. The committee shall select its own chairman.

Any vacancy occurring between general sessions shall be filled by the Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Kraft, McBride, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—28.

NOES—None.

#### MESSAGES FROM THE ASSEMBLY

At 12.29 p.m., a committee from the Assembly, consisting of Assemblymen Maloney, Brown, and Lowrey, appeared at the bar of the Senate, and announced that the Assembly was duly organized and ready to proceed with the business of the State.

#### RESOLUTIONS

The following resolutions were offered:

By Senator Desmond:

##### Senate Resolution No. 7

*Resolved*, That the schedule of salaries of the statutory officers of the Senate for the 1950 Third Extraordinary Session of the Legislature be the same as that adopted for the 1949 Regular Session of the Legislature as set forth in Senate Resolution No. 30 of said session.

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

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Kraft, McBride, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, Watson, Way, and Williams—27.

NOES—None.

By Senator Powers:

##### Senate Resolution No. 8

*Resolved*, That the standing committees of the Senate for the 1950 Regular Session be and the same are hereby adopted as the standing committees of this 1950 Third Extraordinary Session.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Johnson, Judah,

Mayo, McBride, Miller, O'Gara, Parkman, Powers, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31

NOES—None.

By Senator McBride:

#### Senate Resolution No. 9

*Resolved*, That the Controller be and he is hereby directed to deliver to Joseph F. Nolan, Sergeant-at-Arms, or such of his assistants as the Sergeant-at-Arms may designate, warrants for salaries and expenses of Members and Officers of the Senate.

Resolution read, and on motion of Senator McBride, adopted.

By Senator Breed:

#### Senate Resolution No. 10

*Resolved*, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate elected the following statutory officers:

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

Resolution read, and on motion of Senator Breed, adopted.

By Committee on Rules:

#### Senate Resolution No. 11

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the 1950 Third Extraordinary Session of the Legislature:

Sensors	County	Mileage	Total at 5 cents per mile
Abshire, F. Presley.....	Sonoma	228	\$11 40
Breed, Arthur H., Jr. ....	Alameda	180	9 00
Brown, Charles.....	Inyo	1,292	64 60
Burns, Hugh M. ....	Fresno	338	16 90
Busch, Burt W. ....	Lake	320	16 00
Coombs, Nathan F. ....	Napa	122	6 10
Crittenden, Bradford S. ....	San Joaquin	94	4 70
Cunningham, R. R. ....	Kings	428	21 40
Dillinger, H. E. ....	El Dorado	100	5 00
Dilworth, Nelson S. ....	Riverside	1,092	54 60
Donnelly, Hugh P. ....	Stanislaus	182	9 10
Dorsey, Jess R. ....	Kern	550	27 50
Drobish, Harry E. ....	Butte	198	9 90
Gibson, Luther E. ....	Solano	112	5 60
Hatfield, George J. ....	Merced	236	11 80
Jespersen, Chris N. ....	San Luis Obispo	666	33 30
Johnson, Harold T. ....	Placer	38	1 90
Judah, H. R. ....	Santa Cruz	336	16 80
Kraft, Fred H. ....	San Diego	1,146	57 30
Mayo, Jesse M. ....	Calaveras	170	8 50
McBride, James J. ....	Ventura	980	49 00
Miller, George, Jr. ....	Contra Costa	168	8 40
O'Gara, Gerald J. ....	San Francisco	180	9 00
Parkman, Harry J. ....	San Mateo	222	11 10
Powers, Harold J. ....	Modoc	832	41 60
Regan, Edwin J. ....	Trinity	434	21 70
Rich, Wm P. ....	Yuba	106	5 30
Sutton, L. G. ....	Colusa	150	7 50
Swing, Ralph E. ....	San Bernardino	1,016	50 80
Tenney, Jack B. ....	Los Angeles	894	44 70
Ward, Clarence C. ....	Santa Barbara	920	46 00
Watson, Clyde A. ....	Orange	962	48 10
Way, A. W. ....	Humboldt	624	31 20
Weybret, Fred. ....	Monterey	484	24 20
Williams, J. Howard. ....	Tulare	468	23 40

Officers	County	Mileage	Total at 10 cents per mile
Knight, Goodwin J., President.....	Los Angeles	894	\$89 40
Beek, J. A., Secretary.....	Orange	990	99 00
Nolan, Joseph F., Sergeant-at-Arms.....	Los Angeles	894	89 40
Lea, John F., Minute Clerk.....	Sacramento	2	20

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Kraft, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—34.

**NOES**—None.

By Senator Powers:

#### Senate Resolution No. 12

Creating the Senate Legislative Process Committee and  
defining its powers and duties

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

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

*Resolved by the Senate of the State of California, As follows:*

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

2. The committee shall consist of the same Members of the Senate as the Senate Committee on Rules, and shall have the same chairman.

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

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members except that the members of the committee shall serve without compensation and shall not be allowed mileage.

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

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

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

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

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

(d) To report its findings and recommendations to the Senate from time to time and at any time

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

6. The sum of eight thousand dollars (\$8,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—34.

NOES—None.

#### REPORTS OF SPECIAL COMMITTEES

The following reports of special committees were received :

Senators Cunningham, Swing, Rich, and Crittenden, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

Senators Regan, Miller, Mayo, and Burns, the Special Committee appointed to notify the Assembly of the organization of the Senate, reported they had performed their duty.

#### RECESS

At 12.45 p.m., on motion of Senator Powers, the Senate recessed until 2 p.m.

#### IN JOINT CONVENTION

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, September 20, 1950

At 12.55 p.m., the Senate and the Assembly met in Joint Convention. Hon. Sam L. Collins, Speaker of the Assembly, presiding. Chief Clerk Arthur A. Ohnimus, at the desk.

#### ANNOUNCEMENT

Speaker Sam L. Collins announced the presence in the Assembly Chamber of the Honorable Goodwin J. Knight, Lieutenant Governor of the State of California and President of the Senate; the Honorable Harold J. Powers, President pro Tempore of the Senate, and invited them to the rostrum.

#### SENATE ROLL CALL

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

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

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—37.

The President of the Senate declared a quorum of the Senate present.



**ASSEMBLY ROLL CALL**

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

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinkley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Price, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—75.

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

**APPOINTMENT OF JOINT COMMITTEE ON ESCORT**

Hon. Goodwin J. Knight, President of the Senate, announced the appointment of Senators Williams, Coombs, and O'Gara as the Senate Committee to escort His Excellency, Hon. Earl Warren, Governor of the State of California, to the bar of the Assembly.

Hon. Sam L. Collins, Speaker of the Assembly, announced the appointment of Messrs Kirkwood, Crichton, and Waters as the Assembly Committee to escort His Excellency, Hon. Earl Warren, Governor of the State of California, to the bar of the Assembly.

**REPORT OF JOINT COMMITTEE ON ESCORT**

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

**PRESENTATION OF THE LIEUTENANT GOVERNOR**

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

**PRESENTATION OF THE GOVERNOR**

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

**ADDRESS BY THE GOVERNOR**

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

*Mr. Speaker, Lieutenant Governor Knight, President pro Tempore Powers, Speaker pro Tempore Maloney, and Members of the Legislature:*

When the Legislature adjourned on April 15th, I had little thought that there would be any necessity for a special session prior to the regular session of January, 1951. But in keeping with the experience of recent

years, in most of which it has been necessary to have special sessions to cope with the problems of growth of our State and with the turbulent condition of world affairs, I now find it imperative that we convene for the consideration of matters important to the welfare of our State and Nation.

First and foremost is the integration of a program for civil defense and disaster relief; second, the protection of the rights of California citizens in the armed forces; third, amendment of the public school building loan act, in order to make it accomplish the purpose for which it was designed; fourth, to facilitate state building construction; and finally, to consider legislation relating to the protection and care of and assistance to children, needy persons, and others especially in need thereof, particularly with relation to the Social Security Act amendments of 1950 (H. R. 6000).

There were many requests for the inclusion of other items, a sufficient number to keep you in session from now until the regular session. Many of these requests were for desirable legislation, but following the policy of not burdening the Legislature in special sessions with other than emergency matters, and in accordance with my understanding with your Speaker and President pro Tempore to keep the subject matter as limited as possible, I have restricted the call to these subjects, which I consider to be matters of real emergency at this moment.

On the other hand, in keeping with my practice, I have not attempted to limit legislative discretion within the fields for which the session is called. However, in order that you might know at the outset precisely what I have in mind on each of the items, I have had prepared and have submitted to your officers the bills that I believe should have your consideration. I believe you will find little of a controversial nature in these bills. But you will find much of importance in them.

The most pressing subject matter is civil defense. Once more, the Nation is marshalling its resources to turn back aggression overseas and to protect the homeland against attack. Once more, our men in the armed forces are fighting a war for freedom—this time in remote Korea. While technically, it is a policing operation of the United Nations, and is being conducted in a limited area, to those who are engaged in it, and to their loved ones, it has all of the aspects of a cruel and desperate war.

No one can say with assurance that this struggle between the forces of freedom and the forces of communism will be confined to the Korean Peninsula, because it is generally known that North Korea is merely a puppet in the communist show. As a matter of fact, it is widely believed that this may be but one of many acts of aggression on the part of communist satellites, designed to drain the resources of this and other free countries of the world. Neither is there any assurance that this or other provocative acts may not in time bring about what our Country and every peace-loving nation in the world dreads most—and would give everything but their freedom to avoid—World War III.

In such circumstances, it is always sound policy to hope for the best and prepare for the worst. This is precisely the policy the President of the United States has declared for our Country, and he has requested

every individual, community and state in the Nation to conform to that policy. Only day before yesterday, he presented to the Congress and to the people a plan for organizing the civil defense of the United States. Through the National Security Resources Board, he has stated that the United States can no longer be free from the danger of a sudden devastating attack against the homeland. He stated that in any future war, "It is probable that an enemy would attempt at the outset to destroy or cripple the production capacity of the United States and to carry direct attack against civilian communities to disrupt support of the war effort," and that "An enemy could not attack all urban areas throughout the United States but he could attack any community in the United States," and further, that "The probabilities that certain areas are more likely to be attacked than others does not reduce the responsibility of the communities less likely to be attacked to organize for civilian defense."

He then states that "The responsibility of the State Government is to provide leadership and supervision in all planning for civil defense, and direction of supporting operations in an emergency. The State is the key operating unit. It is the 'field army' of civil defense. Its counties or cities are its 'divisions.' When one or more divisions are hard hit, the remaining ones are sent in for support over and above the capabilities of local self-help and mutual aid."

In summation, he said, "Every person and every community has a part to play in the civil defense program. Remoteness from places considered probable targets does not exempt any community from playing its part in the over-all program, since evacuee reception and care must be planned and a support program organized."

"The civil defense program for this Country must be in constant readiness because, for the first time in 136 years, an enemy has the power to attack our cities in strong force, and for the first time in our history, that attack may come suddenly, with little or no warning."

"Granted a few minutes warning, casualties could be reduced by over 50 percent through proper organization and training in civil defense. More important, civil defense could spell the difference between defeat with slavery for our people, and victory in a war thrust upon us."

In the light of these solemn words, no state or community can afford to treat civil defense lightly. Particularly is this true in a state like California, which has at least three major target areas.

Fortunately, we have not been caught unawares, because in 1945, at about the time of the termination of hostilities and the ending of the need for civil defense in World War II, the Legislature saved from our war powers and from the machinery of the War Council the basic laws essential for disaster relief of any kind, including civil defense.

As you will recall, the State Disaster Council, composed of officers of the legislative and executive branches of State Government and representatives of city and county government, was created. It was authorized to establish similar councils in the cities and counties of the State, as well as to authorize local communities to enter into mutual aid agreements for an exchange of manpower, equipment, and services in times of disaster.

Appropriations were made to the State Disaster Council from year to year for the purpose of stimulating such local councils and such mutual aid agreements. By the time of the Korean incident, over 90 percent of the people of the State lived in communities that had both city and county disaster councils accredited by the state body. Since that time, the State Disaster Council and the subordinate councils, in accordance with whatever material was made available by the Federal Government, have been making their plans for civil defense.

In the course of state planning, I discussed civil defense at great length with Mr. Paul J. Larsen, Federal Director of Civilian Mobilization, and was advised by him that our plans were proceeding in accordance with the thinking of the National Resources Board, and that, with the exception of legislative authorization to plan with neighboring states for the common defense of the area, our laws appeared to be adequate. Thereafter, on August 22, with the Governors of Nevada and Arizona, I met with General Wedemeyer, Commander of the Sixth Army, and discussed our situation with him. At the request of the governors, General Wedemeyer agreed to send three of his planning officers to each state to assist in the preparation of an operational plan which would implement the Disaster Council Act, and since August 28, 1950, these three officers have been at Sacramento working with our staff, not only full time but long hours, in the preparation of a plan.

A study of the United States Civil Defense program, received September 18th, indicates that none of the plans that we have been making are in any respect in conflict with the proposals of the Federal Government, and also that, almost without change of any kind, our plans are in conformity with such proposals.

Because we have had the benefit of the planning officers of the Sixth Army in the preparation of our plan, I am certain that it can be accommodated to the military plans for the area. In order to make certain that we are in conformity with such plans, the three governors are again meeting with General Wedemeyer and other military officers at the Presidio, San Francisco, on October 3d. At that time, our operational plan will be submitted for final military approval. If so approved, it will be ready for immediate activation.

In order to do this planning to date, without an appropriation for civil defense, I have borrowed key men from the various departments of the State Government, to act as a staff for the State Civil Defense Planning Board. These employees have worked faithfully at the task, and are entitled to commendation therefor. To carry on the work in the future, however, it will be necessary for the Legislature to establish the Director of Civil Defense and authorize the employment of such assistants and other employees as may be necessary to accomplish the desired objective. This is one of the recommendations in the United States Civil Defense program.

Following the recommendations of the Director of Civilian Mobilization, I recommend legislation authorizing our State to plan cooperatively with adjoining states for the common defense of the area, and

also for the making of cooperative agreements with the United States through which any state department can, under contract with the Federal Government, perform any work in furtherance of the defense effort when requested by the Federal Government to do so at federal expense. Under like authority, the Department of Public Works did a large amount of construction work for the Federal Government in World War II.

In the 1949 session, the Legislature took time by the forelock and provided for a Defense and Security Corps which will replace the National Guard when that organization is called into the federal service. As you know, our valiant 40th Division and other special units that rendered such heroic service in World War II have already been called into the federal service. This leaves the southern part of our State without any state military force for protection in time of emergency. We have gone as far as it is possible to go in activating the Defense and Security Corps by establishing two divisions, one for Southern and the other for Northern California. At the present time, 15 units have been recruited and we are only awaiting federal authorization to activate them. The bill to accomplish this result passed both Houses of Congress September 18th, and it is now on the desk of the President.

With the officers and men of World War II who are available for this duty, I am satisfied that we can build an organization that will be of great protective strength and be a credit to the State. This corps will be financed partially by savings from the National Guard appropriation occasioned by federalization of the 40th Division, but an appropriation to supplement these funds will be necessary.

There are two main types of activities that a sound plan for civil defense must include. One is the relief of all kinds of distress caused by direct enemy attack. The other is protection against sabotage.

It is my opinion that an A-bomb or other bombing attack is a possibility for our State, and because of the serious consequences of such enemy action, it is imperative that we make plans for such an eventuality. On the other hand, I am of the opinion that so long as we are in conflict with Soviet Russia, we are in imminent peril of sabotage. I am sure every thoughtful American believes that there are Soviet agents in this Country for the purpose of creating disruption of our industry and our normal life, and that they are prepared to go into action on orders from Moscow. I am sure they also recognize sadly that we have people of American birth who are committed in their now minds to a destruction of our form of government because of their misguided and not understandable allegiance to the communist doctrine and its grasping exponent, Soviet Russia. It will take organization of all of our protective services, police, fire, health, etc., to counteract this influence.

We must ferret out saboteurs wherever they are to be found, and, working with federal authorities, private industry, and every law enforcement agency in the State, devise a program that will give us the needed protection. To that end, I urge you to re-enact the Sabotage Prevention Law which was in operation throughout World War II, and which, in my opinion, is a workable act for this purpose. I recommend that an appropriation be made to the Attorney General for the investigation of sabotage, and other subversive activities.

I would also suggest that our statutes governing the sale and possession of explosives be amended so as to give the law enforcement officers of the State an adequate check and control over them. The first requisite of a civil defense organization is loyalty—complete loyalty to the United States of America.

As a partial protection for our civil defense organization, on both the state and local levels, I suggest that an oath of allegiance be required of every person in it, as suggested by the United States Civil Defense program above referred to. If falsified, the oath should be punishable as perjury. The oath suggested is as follows:

“I \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

“And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates, the overthrow of the Government of the United States or of this State by force or violence; and that during such time as I am a member of the (name of civil defense organization) I will not advocate nor become a member of any political party or organization that advocates the overthrow of the Government of the United States or of this State by force or violence.”

I believe this oath should be required not only of volunteers but of every public employee. One cannot study the civil defense problem without being impressed by the enormity of the task or the danger to the public in case of failure. It calls for complete coordination of the personnel and facilities of every agency of government on all its levels. I therefore suggest that every employee of the State and its political subdivisions be declared to be a member of the civil defense organization of the State, and in addition to his other duties, be subject to assignment to duty therein whenever required. Thus everyone in the program, public and private citizens alike, would stand on the same level and shoulder the same responsibility to their government.

This course would clarify many situations in the State. It would make unnecessary ordinances of very limited effectiveness in the 305 cities and 58 counties of the State as are being studied at the present time. It would eliminate the proposal of singling out one segment of public employees for a loyalty test different from that required of others. Lastly, falsification of the oath will be punishable as a serious offense. This, plus a screening by local authorities and the help we can expect from federal authorities, should give us a fair measure of protection against the infiltration of subversives into our civil defense organizations.

I make no recommendation on espionage, which is another favorite criminal technique of communists, because it is a federal function and the full responsibility for protecting our Country against espionage has already been assigned to the Federal Bureau of Investigation. It is not

desired that this responsibility shall be shared with state or local agencies except to the extent of the transmission of information in this field to the Federal Bureau of Investigation without previous investigation.

It is difficult to write laws of this character which are effective, and at the same time constitutional. Congress at the present time is struggling with the problem and it has not yet determined how far it can go in ferreting out subversives without interfering with basic freedoms. I believe it would be unwise to consider legislation that might either be in conflict with or unwanted by the Federal Government. We now have some statutes in California which for many years have been honored more in the breach than the observance.

Since 1919, we have had the Criminal Syndicalism Law, which makes it felonious for any person to belong to an organization which advocates the overthrow of our government or industrial system by force or violence. There have to my knowledge been no prosecutions under this law for many years. Since 1941, we have had a Subversive Registration Act, requiring every such organization to register with the Secretary of State, and making it a felony for failure to do so. There has been little or no registration under it and not a single prosecution since 1942.

In order to carry our civil defense plan into effect, I request an appropriation of \$475,000. This, of course, would include no money for disaster relief if it should become necessary. Some provision for such an eventuality should be made. I therefore recommend that, under such regulations as the Legislature may prescribe, the so-called Rainy Day Fund be made available for that purpose whenever the Legislature is not in session at the time, as was done with a similar fund in World War II. I believe this can be safely done without infringing upon the original purpose of the fund which was to protect us against a deficit caused by revenues falling below the estimated income for the year. The levels of business and employment at the present time indicate that we can assume no such eventuality will occur this fiscal year. Our financial structure is sound. Our budget remains in balance in spite of growth and rising costs. We are firmly on a pay-as-you-go basis, and all within the same framework of taxation that existed prior to World War II.

As history repeats itself and we again find ourselves sending troops overseas, we must re-examine the wartime statutes which were enacted a few short years ago for their protection. Every man who goes overseas to fight for his Country should have an opportunity to vote, and our wartime statutes should be strengthened so that every member of our armed forces and the Merchant Marine will be entitled to vote, regardless of where he might be.

Many of these servicemen have been taken from public positions, and they should be entitled to return to their positions when they return to civilian life. I recommend that appropriate action be taken to protect their jobs for them while they are away, as was done in World War II. Similar protection should be given them in regard to their retirement rights. These boys who are now in service are entitled to every protection that was given to the soldiers of prior wars, and educational assistance and assistance with claims against the government should be extended to them and their dependents as it has been to other veterans.

Another matter of vital concern is the proposal to amend the School Building Loan Fund established under the \$250,000,000 bond issue for necessitous school districts. The legal construction given to the law prohibits the allocation of more than \$5,000,000 per month, whereas applications aggregating \$120,000,000 have been processed and approved by the Allocations Board.

The purpose of this bond issue was to relieve the overcrowded condition of our schools in districts that have reached their tax limit and bonding capacity. If we are to make the bond issue serve its real purpose, the provisions of the act should be relaxed so as to permit allocation to those school districts that meet the requirements. If we do not do this, it will be a matter of years until the present bond issue has served its true purpose. The hardship that would be caused in the intervening years, and the resulting deprivation of proper educational opportunities to the children, would be tragic.

The people approved the bond issue to meet the schoolhouse shortage. They expect it to accomplish this, and I am sure they are not concerned with artificial restrictions which delay the accomplishment of its purpose.

The Congress of the United States passed Public Law 734, more popularly known as H. R. 6000, which constitutes a series of extremely important amendments to the Federal Social Security Act. Many of its provisions will mean great savings to the State and counties of California and will not require legislation in order that we may take advantage of these savings. Such a provision is the increase in the benefits to be paid under the Federal Old Age and Survivors Insurance plan. These increased benefits paid to persons now receiving old age assistance and aid to needy children in this State will result in a saving to the State and counties of California of over \$5,000,000 between October 1, 1950, and June 30, 1951.

H. R. 6000 recognizes the growth in the aid to needy children program throughout the Country, and proposes to reimburse to the State and counties \$16.50 per month for each case, in addition to present reimbursement from the Federal Government. We can take advantage of this additional reimbursement without any further expenditures on the part of the State or counties. Without any change in our present program, legislation which I am recommending will enable us to receive the additional federal participation, and will result in increased federal contributions to California of approximately \$6,600,000 between October 1, 1950, and June 30, 1951.

H. R. 6000 permits the State to pay old age assistance, aid to the needy blind, and aid to the disabled, to persons in county hospitals and other public medical institutions. Heretofore, it was not possible to do so. I am recommending a bill to enable us to take advantage of this liberalization.

H. R. 6000 establishes a fourth category of aid in which the Federal Government will participate, providing the State establishes the program; that is, a program to aid the totally and permanently disabled. As the Federal Government and the states have proceeded during the past 15 years to establish programs for the aged, blind, and children, the



disabled, who in many respects are the most needy and the most dependent upon outside assistance, have become the forgotten men. Congress, after studying this situation for a period of over 18 months, finally decided to aid states in their assistance programs to the disabled, and will reimburse to the State of California up to \$30 for the first \$50 expended on each disabled person meeting federal requirements.

I should like to point out that this is not a general relief program for persons suffering from some minor disability. It is to help the most advanced cases of disability. Persons must be *permanently* disabled, that is, no cure can be foreseen for their disability; and they must also be *totally* disabled, that is, they must be unable to perform work of any kind. Many of our counties are now caring for a number of these persons in county hospitals and county homes, and the establishment of this program will enable counties to receive a substantial contribution to the expenditures hitherto borne entirely by them. We estimate that between October 1, 1950, and June 30, 1951, a maximum of 28,000 persons will be placed on the rolls, and if the Legislature adopts the program as set forth in the legislation which I am suggesting, the program will cost a total of over \$15,000,000, with the Federal Government contributing over \$6,000,000 and the State and counties contributing the remainder. There will be a substantial offset to this amount so far as the counties are concerned.

I would like to point out that most states in the Union will begin this program on October 1, 1950. I am informed by federal authorities that 32 states can establish this program by rule and regulation, that several other states merely need to provide for transfer of funds, and that only seven states, including California, need enabling legislation. Three states have already issued calls for special sessions of their legislature.

California has never been found wanting in its provision for the care of the needy and destitute. This Legislature has from time to time considered various bills to aid the disabled, and federal participation under H. R. No. 6000 now makes it possible for California to establish such a program.

The rapid increase in construction costs which has occurred during recent months, and which is continuing, has brought a crisis in our state building program. The Legislature has appropriated specific sums for specific buildings and it has been found impossible to operate under these line item restrictions. I join with your Joint Budget Committee in recommending legislation permitting some leeway in transferring portions of these appropriations in order that we may proceed with the construction of those buildings having the highest priority.

I trust that these items will not unduly prolong your session, and I want you to know that I will cooperate with you in every respect to expedite your work.

#### ADJOURNMENT OF JOINT CONVENTION

At 1.35 p.m., there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

**IN SENATE**

At 2 p.m. the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

**RECESS**

At 2.05 p.m., on motion of Senator Powers, the Senate recessed until 3.30 p.m.

**REASSEMBLED**

At 3.30 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

**RESOLUTIONS**

The following resolutions were offered :

By Senator Tenney :

**Senate Resolution No. 13**

Relative to commending the Federal Bureau of Investigation

WHEREAS, Thoughtful Americans are convinced that the present time is one fraught with great national peril and a time in which American institutions and American freedom are in jeopardy ; and

WHEREAS, More alarming than the enmity of people of foreign lands who have been victimized by vicious propaganda is the disloyalty of people within our own ranks who have succumbed to the same propaganda, and the unbridled activity of enemy agents in our midst ; and

WHEREAS, It is a matter of great comfort and assurance to the American people to know that various organizations charged with the investigation of un-American activities, in particular the Federal Bureau of Investigation, have kept close watch upon the activities of subversive groups and individuals and are rendering the American people a service of inestimable value in defending us from the vicious activities of the traitor and the spy ; now, therefore, be it

*Resolved by the Senate of the State of California*, That we commend the Federal Bureau of Investigation and its director, J. Edgar Hoover, for the excellent work that has been accomplished and for the diligence, courage and foresight which have been demonstrated ; and be it further

*Resolved*, That the Secretary be and he is hereby directed to forward a copy of this resolution to the Federal Bureau of Investigation, the President of the United States, the President of the United States Senate and the Speaker of the House of Representatives.

Resolution read.

**MOTION TO CONSIDER**

Senator Tenney moved that Senate Resolution No. 13 be taken up at this time for consideration.

**ROLL CALL DEMANDED**

Senators Mayo, Tenney, and Coombs demanded a roll call.

The roll was called, and Senate Resolution No. 13 adopted by the following vote :

AYES—Senators Abshire, Breed, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobnish, Gibson, Hatfield, Jaspersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

NOES—None.

By Senator Abshire :

**Senate Resolution No. 14**

Relating to installation of microphones on the desks of Members of the Senate

*Resolved by the Senate of the State of California*, That the Senate Committee on Rules is hereby requested to provide a public address system for the Senate Chamber with a microphone on the desk of each member ; and be it further

*Resolved*, That the sum of ----- dollars (\$-----) is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Committee on Rules in carrying out the provisions of this resolution, to be paid from the said contingent fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senators Williams, Hatfield, Watson, Brown, and Busch :

**Senate Resolution No. 15**

Relative to the reorganization of the Division of Fish and Game

WHEREAS, The organization of the Division of Fish and Game and its relationship to the Fish and Game Commission and to the Department of Natural Resources have been matters as to which much study has been given over a period of years ; and

WHEREAS, The Fish and Game Commission has recently adopted a plan for reorganizing the Division of Fish and Game which, if put into operation, would perpetuate the basic weakness which exists in the present administration and enforcement of the fish and game laws, which is that the purely administrative functions are vested in the commission rather than in a single responsible administrator ; and

WHEREAS, It is generally agreed by those who have studied the matter that the Fish and Game Commission should be a policy- and rule-making body and that the function of carrying out the fish and game laws in accordance with the policies and rules of the commission should be vested by statute in a single administrator ; and

WHEREAS, The Administrative Analysis Section in the Department of Finance, which is the state agency charged with the duty of studying the organization of state agencies, made a study of the Division of Fish and Game and recommended that the Fish and Game Commission be made a policy-making body and divorced from the administrative details of the operations of the division ; and

WHEREAS, Mr. Daniel H. Blood, Deputy Director and Comptroller of the Department of Natural Resources reached the same conclusion in a study which appears in the Appendix of the Senate Journal of 1949 as a part of the report of the Senate Interim Committee on Fish and Game created by Senate Resolution No. 108 of the 1947 Regular Session, which report also shows that said committee, of which Senator Carter was chairman, also reached the same conclusion ; and

WHEREAS, The same conclusion was also reached by the citizens committee on state organization in what is commonly known as the Griffenhagen Report to the Governor and the Legislature in 1941 ; and

WHEREAS, The system of vesting administrative duties and responsibilities in a commission which meets only periodically is unsound both from a theoretical as well as a practical standpoint because it results either in the commission dissipating its time on administrative details or delegating its administrative functions to an executive officer who, because such delegation is revocable at any time, can never be sure of where he stands ; and

WHEREAS, The system of having a policy- and rule-making body with a statutory officer to exercise the administrative function has operated successfully in the cases of the State Board of Public Health, the State Board of Forestry, the State Park Commission and various other agencies ; and

WHEREAS, In 1949, this Senate passed and sent to the Assembly Senate Bill No. 1638 which would have created the office of State Fish and Wildlife Administrator and vested in him the statutory duty of administering the provisions of the Fish and Game Code in conformity with the policies and rules presented by the Fish and Game Commission, leaving the powers delegated to the commission under the so-called plenary powers provisions (Article 1, Chapter 2, Division 1) vested in the commission ; and

WHEREAS, The Assembly did not pass Senate Bill No. 1638 but rather it committed the subject matter thereof to the Assembly Interim Committee on Fish and Game, created at the 1949 Regular Session ; and

WHEREAS, The Senate Interim Committee on Fish and Game created by Senate Resolution No. 15, 1949 Regular Session, has continued to study and investigate the administration of the fish and game laws ; and

WHEREAS, Legislation to provide for the reorganization of the Division of Fish and Game will, in all likelihood, be considered at the 1951 Regular Session of the Legislature and any reorganization pursuant to the existing laws would not now be timely and, if carried out in accordance with the commission's present plan, might prove to involve a considerable amount of wasteful motion; and

WHEREAS, The need for the reorganization of the Division of Fish and Game has been known to exist for a number of years and the postponement of such reorganization until the Legislature has had time to act upon the matter would be preferable to rushing through a reorganization scheme of which large parts might subsequently have to be undone; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Fish and Game Commission and its Executive Officer are hereby requested to refrain from proceeding with any plan for the reorganization of the Division of Fish and Game, that the fiscal officers of the Department of Natural Resources and of the Department of Finance are hereby requested to withhold approval of any fiscal documents or procedures to effectuate such a plan, and that the State Personnel Board is requested to refrain from establishing any new positions or making any reclassification of existing positions which are designed to effectuate such a plan; and be it further

*Resolved*, That the Secretary of the Senate is directed to transmit copies of this resolution to the Governor, the members of the Fish and Game Commission, the executive officer of said commission, the Director of Finance, the Director of Natural Resources, the members of the State Personnel Board and the executive officer of said board.

Resolution read, and referred to Committee on Rules.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

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

**Senate Bill No. 1:** By Senator Williams—An act to add Section 1582 to the Military and Veterans Code, relating to interstate preparedness for disasters, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 2:** By Senator Williams—An act to add Sections 48, 49, 132.6, 5901.5, 5932.5, 5935.5, and 5936.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections.

**Senate Bill No. 3:** By Senators Rich and Swing—An act making an appropriation for support of the California Disaster Act, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 4:** By Senators Rich and Swing—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 5:** By Senators Rich and Swing—An act making an appropriation to the Attorney General to be expended during the 1950-51 Fiscal Year, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 6:** By Senator Powers—An act making an appropriation for the contingent expenses of the Senate, including committee expenses, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 7:** By Senator McBride—An act to add Section 11011 to the Government Code, relating to contracts between state agencies and the United States, making an appropriation for administrative expenses in connection therewith, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 8:** By Senator Ward—An act to add Section 12006 to the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

**Senate Bill No. 9:** By Senator Ward—An act to repeal Section 15 of the Sabotage Prevention Act, relating to the protection of property and the prevention of, and punishment for, sabotage.

Referred to Committee on Judiciary.

**Senate Bill No. 10:** By Senators Judah and Ward—An act to amend Sections 4353 and 3211.92 of the Labor Code, relating to disaster service workers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Labor.

**Senate Bill No. 11:** By Senators Gibson and Sutton—An act to add Article 6 comprising Section 1550 to Chapter 1, Division 7, of the Military and Veterans Code, relating to the practice of the professions during periods of extreme emergency, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Business and Professions.

**Senate Bill No. 12:** By Senators Jespersen and Mayo—An act to add Division 2B, comprising Sections 139.75 to 139.96, inclusive, to the Vehicle Code, and Section 4805 to the Labor Code, relating to the California Highway Patrol Reserve Corps, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation.

**Senate Bill No. 13:** By Senators Hulse and Hatfield—An act making an appropriation for preparation of plans and specifications of an office building for the Department of Employment, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 14:** By Senators Hulse and Hatfield—An act relating to the unified program for construction, improvement and equipment for state agencies, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 15:** By Senators Dillinger, Jespersen, Drobish, Mayo, and Sutton—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to add Sections 104.1, 104.2, and 104.3 to said code, to amend Sections 7.5, 103.5, 104.6, 114.5, 118.2, 119.5, 124, 145, 145.1, and 145.4, thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Senate Bill No. 16:** By Senators Dillinger, Jespersen, Drobish, Mayo, and Sutton—An act to add Section 4184.1 to the Welfare and Institutions Code, relating to aid to the disabled, to provide for payment by the State of a share of the cost of administration of aid to the disabled, and making an appropriation therefor for the 1949-1950 Fiscal Year, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Senate Bill No. 17:** By Senators Dillinger, Jespersen, Drobish, Mayo, and Sutton—An act to add Section 1501.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to provision for the needs of the relatives with whom such children are living, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Senate Bill No. 18:** By Senators Dillinger, Jespersen, Drobish, Mayo, and Sutton—An act making an appropriation in augmentation of the appropriation made in Item 259 of the Budget Act of 1950, for support of the Department of Social Welfare, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 19:** By Senators Dillinger, Jespersen, Drobish, Mayo, and Sutton—An act to amend Sections 3044 and 3044.1 of, and to add Sections 3044.05 to, the Welfare and Institutions Code, relating to aid to needy blind, to provide for the aid to needy blind persons in public medical institutions, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Senate Bill No. 20:** By Senators Dillinger, Jespersen, Drobish, Mayo, and Sutton—An act to amend Sections 2160 and 2160.7 of, and to add Section 2160.2 to, the Welfare and Institutions Code, relating to the aid of old age security recipients in medical institutions, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Senate Bill No. 21:** By Senators Dilworth and Watson—An act to add Section 5059.1 to the Education Code, relating to repayment of apportionments for state school building aid.

Referred to Committee on Education.

**Senate Bill No. 22:** By Senator Dilworth—An act to amend Section 5050 of the Education Code, relating to apportionments of state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 23:** By Senator Jespersen—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 24:** By Senators Rich and Swing—An act making an appropriation in augmentation of the appropriation in Item 179 of the Budget Act of 1950 for support of the Adjutant General and California National Guard, relating to internal security providing for the support of the California Defense and Security Corps, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 25:** By Senator Weybret—An act to amend Sections 20890 and 20894.5 of the Government Code, relating to the State Employees' Retirement System in respect to absence of members in military service and contributions therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 26:** By Senators Mayo and Rich—An act to amend Section 5109 of the Education Code, relating to the expenditure of proceeds of state school bonds, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 27:** By Senators Coombs, Gibson, Dilworth, Desmond, Ward, Sutton, Dorsey, O'Gara, Hatfield, Drobish, Busch, and Parkman—An act to amend Section 699.5 of the Military and Veterans

Code, and to ratify actions of the Department of Veterans Affairs, relating to assistance to veterans and their dependents.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 28:** By Senators Coombs, Sutton, Gibson, Dilworth, Desmond, Ward, Dorsey, O'Gara, Hatfield, Drobish, Busch, and Parkman—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance for dependents of veterans.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 29:** By Senator Dilworth—An act to amend Sections 5055 and 5056 of, and to add Sections 5048.2 and 5057.1 to, Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 30:** By Senator Dilworth—An act to amend Section 5046 of the Education Code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 31:** By Senator Dilworth—An act to add Section 5051.1 to Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 32:** By Senator Dilworth—An act to amend Sections 5103 and 5107 of, and to add Section 5105.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 33:** By Senator Dilworth—An act to add Section 5046.1 to the Education Code, relating to apportionment to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 34:** By Senator Dilworth—An act to add Section 5048.1 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 35:** By Senator Dilworth—An act to add an article heading and to add Article 2, to Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.



**Senate Concurrent Resolution No. 1:** By Senator Breed—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the eleventh day of April, 1950.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 2:** By Senator Breed—Relative to approving amendments to the charter of the City of San Leandro, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a municipal election held therein on the fourth day of April, 1950.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 3:** By Senators Drobish, Jespersen, O'Gara, Judah, Johnson, and Miller—Relative to commending the F. B. I. and urging all persons to cooperate with it in combating sabotage, espionage, and subversive activities.

Resolution read.

#### Request for Unanimous Consent

Senator Drobish asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3

**Senate Concurrent Resolution No. 3**—Relative to commending the F. B. I. and urging all persons to cooperate with it in combating sabotage, espionage, and subversive activities.

#### Motion to Refer to Committee

Senator Jespersen moved that the Senate refuse to consider resolutions without reference to file or committee and that they all be promptly referred to a committee for consideration by the committee so referred.

Senator Jespersen withdrew his motion.

Senator Jespersen gave notice that henceforth he will object to taking up resolutions by unanimous consent without reference to file or committee and request that they be referred to a committee.

Senate Concurrent Resolution No. 3 referred to Committee on Rules.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were offered:

**Senate Joint Resolution No. 1:** By Senator Dilworth—Relative to the United States Marines.

Referred to Committee on Military and Veterans Affairs.

**Senate Joint Resolution No. 2:** By Senators Dilworth, Burns, Sutton, Coombs, Kraft, Watson, Tenney, and Desmond—Relative to federal legislation to control subversive activities.

Referred to Committee on Rules.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 20, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly has selected the following officers for the 1950 (Third Extraordinary) Session:

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

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

### COMMUNICATIONS

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

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA  
ROOM 222, STATE CAPITOL, SACRAMENTO  
SACRAMENTO, CAL., Sept. 20, 1950

Hon. Joseph A. Beek, Secretary  
*The Senate, Sacramento, California*

DEAR MR. BEEK: The standing committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and recommends the following action:

#### Approved for Press Cards

*Associated Press*—Wayne Harbert, William Allen, Morrie Landsberg, William Waugh, Roger Barr, Joseph Lipper, Allan Barton, Carol Ann Carlson.  
*Fresno Bee and Modesto Bee*—O. M. Shelton, James McClatchy.  
*International News Service*—Neil Shaw, Frederic J. Rupp.  
*Los Angeles Daily News*—Leslie E. Claypool.  
*Los Angeles Examiner*—Carl Greenberg.  
*Los Angeles Mirror*—James Bassett.  
*Los Angeles Times*—Chester G. Hanson.  
*McClatchy Broadcasting Company*—Victor Blanks, Tony Koester.  
*Oakland Tribune*—Don Thomas.  
*Radio Station KROY*—Gene Desimone, Clyde F. Coombs, William J. Ratcliffe.  
*Sacramento Bee*—Herbert L. Phillips, Richard Rodda, Thomas Arden, Robert M. Blanchard, S. J. Archibald, Walter P. Jones, Myron V. Depew, Hamilton Hintz, Rudy Hickey, Al Lyons, Robert Handsaker, George E. Helmer.  
*Sacramento Union*—J. L. Roy Rosenberg, E. E. Nichols, Norman Deuel, George Hooper.  
*San Francisco Call-Bulletin*—C. Lyn Fox.  
*San Francisco Chronicle*—Earl C. Behrens.  
*San Francisco Examiner*—Royal W. Jimerson, Jack Welter.  
*San Francisco News*—Mary Ellen Leary.  
*San Francisco People's World*—Steve Murdock.  
*United Press*—Lloyd Lapham, J. F. McLaughlin, Edward J. Dolan, Wayne Sargeant, Charles Eberhardt, Walter Barkdull, Charles Fredericks.  
*Wall Street Journal*—Al Calais.  
*Western News Service*—Eail G. Waters, Henry C. MacArthur, Christian R. Holmes, Sanford L. Price.

Sincerely,

EARL C. BEHRENS, President

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA  
ROOM 222, STATE CAPITOL, SACRAMENTO  
SACRAMENTO, CALIF., Sept. 20, 1950

*Hon. Joseph A. Beck, Secretary  
The Senate, Sacramento, Calif.*

DEAR MR. BECK. The standing committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative, and recommends the following action:

**Approved for Press Card**

*People's World*—Jack Y. Quayle, Jr., replacing Steve Murdock.  
Sincerely,

EARL C. BEHRENS, President

**MOTION TO DISBAR REPRESENTATIVE OF "PEOPLE'S DAILY WORLD"**

Senator Tenney moved that the representative of the "People's Daily World" be disbarred from the floor of this Senate.

**Point of Order**

Senator Tenney rose to a point of order and stated that you can't raise an objection to a motion.

The President ruled the point of order well taken.

**Motion to Refer Motion by Senator Tenney to Committee**

Senator Jespersen moved that the motion by Senator Tenney to disbar the representative of the "People's Daily World" from the floor of the Senate be referred to the proper committee.

**Motion to Lay on Table**

Senator Abshire moved that the motion by Senator Jespersen be laid on the table.

**Roll Call Demanded**

Senators Kraft, Watson, and Tenney demanded a roll call.

The roll was called, and the motion by Senator Abshire carried by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Coombs, Cuttenden, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Kraft, McBride, O'Gara, Parkman, Sutton, Tenney, Watson, and Way—19.

**NOES**—Senators Busch, Desmond, Dillinger, Johnson, Judah, Mayo, Miller, Powers, Regan, and Ward—10.

**MOTION TO REFER MOTION BY SENATOR TENNEY TO  
COMMITTEE ON RULES**

Senator Desmond moved the motion by Senator Tenney that the representative of the "People's Daily World" be disbarred from the floor of the Senate be referred to the Committee on Rules for further consideration.

The President ruled that the motion by Senator Desmond is out of order.

**Point of Order**

Senator Desmond rose to a point of order and stated that the chair was incorrect in ruling his motion out of order in view of the fact that he made a specific motion to refer to the Committee on Rules whereas the motion by Senator Jespersen on the same subject was to refer to a committee, and therefore appeals from the ruling of the chair.

**Point of Order**

Senator Hatfield rose to a point of order and stated that Senator Desmond's point of order and appeal from the ruling of the chair came too late since further business had been considered by the Senate.

The President ruled the point of order well taken.

**Motion for Committee of the Whole**

Senator Abshire moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering the motion by Senator Tenney that the representative of the "People's Daily World" be disbarred from the floor of the Senate.

**Motion lost.**

The roll was called, and the motion by Senator Tenney that the representative of the "People's Daily World" be disbarred from the floor of the Senate carried by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Johnson, Kraft, McBride, O'Gara, Parkman, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—27.

**NOES**—Senators Dillinger, Judah, Mayo, and Miller—4.

**ADJOURNMENT**

At 4.55 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m., Thursday, September 21, 1950.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE  
1950 THIRD EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

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SECOND LEGISLATIVE DAY  
SECOND CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Thursday, September 21, 1950

The Senate met at 11 a.m.  
Hon. Goodwin J. Knight, President of the Senate, presiding.  
Secretary J. A. Beek at the desk.

### ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Mayo, on motion of Senator Powers, due to legislative business.

Senator Gibson, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. I. J. Claspill of San Diego.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lawrence Land of Oakland.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. James Ryan and Mrs. Mona Christensen, both of North Palo Alto.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Walter Rveff, Tom Carrell, and Harold Allen of San Fernando and George Priamos of Hermosa Beach.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Powers asked for, and was granted, unanimous consent to have the following announcement printed in the Journal:

#### ANNOUNCEMENT

*To the President of the Senate, the Speaker of the Assembly and the Members of the Legislature of California:*

On June 12, 1950, at the State Capitol in Sacramento, the Honorable Sam L. Collins, Speaker of the Assembly of California; the Honorable Thomas A. Maloney, Speaker pro Tempore of the Assembly of California; the Honorable Harold J. Powers, President pro Tempore of the Senate of California; and the Honorable William P. Rich, Chairman of the Finance Committee of the Senate of California, met pursuant to Section 10202 of the Government Code for the purpose of selecting a Legislative Counsel as successor to the Honorable Fred B. Wood, resigned.

The members of said committee proceeded to organize for the conduct of the business of the committee, and the Honorable Sam L. Collins was duly elected chairman thereof. The qualifications of applicants for Legislative Counsel were fully considered.

Your committee respectfully reports that it did, on said day unanimously select, appoint, and commission Ralph N. Kleps as Legislative Counsel, effective July 1, 1950, to serve until the Legislature in session makes a selection for said office.

#### MOTION TO PRINT PARTIAL REPORT

Senator Swing moved that the following Partial Report of the Senate Committee on Legalizing and Licensing of Gambling be printed in the Journal, that 5,000 copies be printed for distribution and that the committee be permitted to file partial reports with the Secretary of the Senate during the interim.

#### MOTION TO AMEND MOTION

Senator Jespersen moved that the motion by Senator Swing be amended to read "10,000 copies of the Partial Report of the Senate Committee on Legalizing and Licensing of Gambling be printed for distribution."

Motion carried.

The President put the question.

The question being on Senator Swing's motion, as amended.

Motion carried.

## **PARTIAL REPORT OF THE SENATE COMMITTEE ON LEGALIZING AND LICENSING OF GAMBLING**

Pursuant to the authority vested in this committee, directing the study and analysis of the so-called "Pension and Welfare Funding Act," which will appear as proposed Constitutional Amendment No. 6 on the November ballot, your committee begs leave to report:

Never in our history has there been proposed to the people of California a more brazen and diabolical scheme for fooling and deceiving the people than that put forth in proposed Constitutional Amendment No. 6, entitled "Pension and Welfare Funding Act," generally referred to as the Gambling Act. It presents a bold attempt of five men, to legalize and obtain absolute and arrogant control of universal gambling in all of its nefarious phases and corrupting influence.

A mere glance at the act shows that the proponents of the measure are attempting to foist upon the people of California all the evils and vice that emanate from gambling in all its iniquitous forms, by riding into power on the coat tails of our elderly and blind citizens.

The measure is publicized as being in the interest of the aged and blind, but there is not a single, solitary word in the long proposed amendment that will give to the aged or the blind a cent more in pension nor a bit more in security than they now enjoy. Pensions for the aged and blind are fixed at their present rates, and their payment provided for by law. This will not be changed or affected by this proposal.

Funds adequate for the payment of all pensions to the aged and blind are now and will continue to be provided by the State and by federal grant. Licensed gambling is neither necessary nor desirable to provide funds for this purpose.

It is a reflection upon the intelligence of the aged and the blind to assume that they are hoodwinked and deceived into believing that some benefit will flow to them from the fantastic scheme set forth in this proposal. The gamblers and the hoodlums are the only beneficiaries of legalized gambling. They will flock to this State by the thousands to clean up on the "suckers" under the license proposed to be issued by this act.

Legalizing of gambling will neither make it honest nor clean, but will provide endless opportunities for the slickers to fleece the foolish and unwary.

The vice in the measure is not that it proposes to tax bookies and off-track betting, but rather in the manner in which the commission, authorized to administer the act, is created and the unlimited and unrestricted powers conferred upon its members, who are neither required to furnish bond nor take an oath for the faithful performance of their duties.

While the drafters made some effort to conceal its true purposes, they blatantly selected and named themselves as the gambling "commission" to administer the act, and to regulate, control and deal out gambling permits and privileges to whomsoever they will.

The whole scheme proposed by this measure is to sell our heritage of integrity for a mess of pottage, and provide a means of corrupting and ruining the oncoming youth, as a solution for the off-track betting. If bookmaking is bad now, if gambling has resulted in organized crime and the corruption of public officials, this condition will double and triple, if gambling as here proposed is authorized.

This act is not designed nor is it proposed to end bookmaking and off-track betting, nor to tax it under the supervision of competent responsible public officials. It is a scheme to throw the whole State wide open to bookmaking, slot machines, crap games, roulette, fan-tan, stud horse poker and every other conceivable gambling device under a license from, and the protection of the self-appointed so-called "commission."

These licensed gambling dens, with all their degrading and corrupting influence, will be scattered into every hamlet throughout the State and will become the protected meeting place for all the hoodlums and undesirables who will rush to this haven of security, to here mingle with and inject themselves among honest and law abiding people with the hope of sabotaging their morals and make them easier victims for the gambling oligarchy proposed to be created.

The proponents seek to justify creating this unholy condition upon the assumption that it would produce revenue for the State, but Mr. Allen Post, Legislative Auditor, says:

"There is no sound method whereby any estimate can be made of the revenues which would accrue from the tax features of Proposition No. 6, nor can any supportable estimate be made of the effect which legalizing gambling would have on revenues which are presently used to support pensions or other social welfare programs.

"Previous estimates of potential revenues from proposed legalizing of bookmaking are completely inapplicable to Proposition No. 6."

Whatever the financial gain might be, if any, would be wholly inadequate to compensate for all the losses, moral and otherwise, which California would suffer from the unsavory conditions which will be created by the proposed wholesale gambling authorized by this measure. As a matter of fact, the cost of government and of law enforcement, maintaining the peace and protecting the public from the criminals which will infest our State and the crime which will be committed under this scheme will far exceed any tax money which the so-called gambling "commission" will ever turn over to the State Treasury.

Unless this flagitious act is defeated, it will bring to our homes and doorsteps all the evil and vice of open and notorious gambling, and you and your children will be subjected to all the corrupting influences which gamblers, gangsters and organized criminals can exert. No longer will your home be a refuge of safety, for all the police in the world cannot possibly protect the oncoming youth from the criminal and evil influence that will flow from legalized gambling and from the foul and noxious atmosphere created by the licensed gambling gentry, cuddling in the protecting arms of the self-appointed gambling czars, while carrying on their nefarious trade.

The committee will continue its investigation following the adjournment of this session and asks permission to, from time to time, make



partial report to the Senate during the recess by filing the same with the secretary.

Respectfully,

SENATOR HARRY L. PARKMAN  
SENATOR WILLIAM P. RICH  
SENATOR CLARENCE C. WARD  
SENATOR NELSON S. DILWORTH  
SENATOR RALPH E. SWING

### RESOLUTIONS

The following resolutions were offered :

By Senator Powers :

#### Senate Resolution No. 16

*Resolved*, That the following members be and the same are hereby elected members of the Special Senate Committee on Legislative Representation, provided for in Standing Rule No. 57 :

Senators Abshire, Cunningham, McBride, Ward, and Weybret.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

NOES—None.

By Rules Committee :

#### Senate Resolution No. 17

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the 1950 Third Extraordinary Session of the Legislature :

Senators	County	Mileage	Total at 5 cents per mile
Collier, Randolph	Siskiyou	590	\$29 50
Desmond, Earl D	Sacramento	22	1 10
Hulse, Ben	Imperial	1,206	60 30

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

NOES—None.

By Senator Brown :

**Senate Resolution No. 18**

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly seven days per week, beginning September 20, 1950, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the respective amounts, and the Treasurer is hereby directed to pay the same :

Cleve V. Taylor, <i>Chief Assistant Secretary</i> -----	\$15.00
Petronella Rollins, <i>Assistant Secretary</i> -----	12.00
Laura D. Prentice, <i>Engrossing and Enrolling Clerk</i> -----	12.00

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Jespersen, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, and Weybret—33.

NOES—None.

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

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

**Senate Bill No. 36:** By Senators Dilworth, Watson, Donnelly, Breed, Williams, and Weybret—An act to amend Section 5109 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 37:** By Senator Jespersen—An act to amend Sections 5046 and 5109 of the Education Code, relating to state apportionments for school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 38:** By Senator Jespersen—An act to add Chapter 1.8, comprising Sections 5120 to 5120.25, inclusive, to Division 3 of the Education Code, relating to the creation of a State Public School Building Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing school districts to enter into contracts to lease; and authorizing and regulating the issuance of bonds by the authority; and providing for the payment of the bonds and the rights of the holders of the bonds; and granting the right of eminent domain; and increasing the powers and duties of the Department of Education; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Referred to Committee on Education.

**Senate Concurrent Resolution No. 4:** By Senators Tenney, Burns, Dilworth, Coombs, Desmond, and Watson—Relative to the dismissal of members of the staff of the University of California for failure to disavow membership in subversive organizations.

Referred to Committee on Rules.

**Senate Constitutional Amendment No. 1:** By Senators Dilworth, Williams, Breed, and Weybret—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide aid to school districts of the State.

Referred to Committee on Education.

#### ADJOURNMENT

At 11.55 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Friday, September 22, 1950.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE  
1950 THIRD EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

THIRD LEGISLATIVE DAY  
THIRD CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Friday, September 22, 1950

The Senate met at 10.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

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

Senators Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Jespersen, Johnson, Judah, McBride, Miller, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

Quorum present.

### PRAYER

By invitation of the President, prayer was offered by Rev. Paul E. Miller of the First Evangelical United Brethren Church of Sacramento.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Mayo, on motion of Senator Powers, due to legislative business.

Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator Abshire, on motion of Senator Powers, due to legislative business.

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator Desmond, on motion of Senator Powers, due to legislative business.

Senator Hatfield, on motion of Senator Powers, due to legislative business.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Jenette Parout of Los Angeles.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joe DeLucechi and John Holland of Los Angeles.

**REPORTS OF STANDING COMMITTEES****Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, September 21, 1950

MR. PRESIDENT: The Committee on Judiciary, to which was referred.

Senate Bill No. 8

Senate Bill No. 9

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 11; absent 1.

WARD, Chairman

Above reported bills ordered to second reading.

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 10

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 4, absent 3.

Members present: Senators Judah, Johnson, Dillinger, and Williams.

JUDAH, Chairman

Above reported bill ordered to second reading.

**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 1

Senate Bill No. 27

Senate Bill No. 28

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

SUTTON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Joint Resolution No. 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 5; absent 4.

SUTTON, Chairman

Above reported resolution ordered to third reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 21, 1950

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 15

Senate Concurrent Resolution No. 1

Senate Concurrent Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5, committee vote: Ayes 5.

POWERS, Chairman

Above reported resolutions ordered to third reading.

**President pro Tempore of the Senate Presiding**

At 10.35 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**MOTION TO READ BILLS SECOND TIME**

Senator Breed moved that all bills reported from committees be given second reading and placed on third reading file.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 8**—An act to add Section 12006 to the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 9**—An act to repeal Section 15 of the Sabotage Prevention Act, relating to the protection of property and the prevention of, and punishment for, sabotage.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 10**—An act to amend Sections 4353 and 3211.92 of the Labor Code, relating to disaster service workers, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1**—An act to add Section 1582 to the Military and Veterans Code, relating to interstate preparedness for disasters, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 27**—An act to amend Section 699.5 of the Military and Veterans Code, and to ratify actions of the Department of Veterans Affairs, relating to assistance to veterans and their dependents.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 28**—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance for dependents of veterans.

Bill read second time, ordered engrossed, and to third reading.

**Senator Busch Presiding**

At 10.42 a.m., Senator Burt W. Busch of the Fourth District, presiding.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Williams asked for, and was granted, unanimous consent to take up Senate Resolution No. 15, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 15****Senate Resolution No. 15**

Relative to the reorganization of the Division of Fish and Game

WHEREAS, The organization of the Division of Fish and Game and its relationship to the Fish and Game Commission and to the Department of Natural Resources have been matters as to which much study has been given over a period of years; and

WHEREAS, The Fish and Game Commission has recently adopted a plan for reorganizing the Division of Fish and Game which, if put into operation, would perpetuate the basic weakness which exists in the present administration and enforcement of the fish and game laws, which is that the purely administrative functions are vested in the commission rather than in a single responsible administrator; and

WHEREAS, It is generally agreed by those who have studied the matter that the Fish and Game Commission should be a policy- and rule-making body and that the function of carrying out the fish and game laws in accordance with the policies and rules of the commission should be vested by statute in a single administrator; and

WHEREAS, The Administrative Analysis Section in the Department of Finance, which is the state agency charged with the duty of studying the organization of state agencies, made a study of the Division of Fish and Game and recommended that the Fish and Game Commission be made a policy-making body and divorced from the administrative details of the operations of the division; and

WHEREAS, Mr. Daniel H. Blood, Deputy Director and Comptroller of the Department of Natural Resources reached the same conclusion in a study which appears in the Appendix of the Senate Journal of 1949 as a part of the report of the Senate Interim Committee on Fish and Game created by Senate Resolution No. 108 of the 1947 Regular Session, which report also shows that said committee, of which Senator Carter was chairman, also reached the same conclusion; and

WHEREAS, The same conclusion was also reached by the citizens committee on state organization in what is commonly known as the Griffenhagen Report to the Governor and the Legislature in 1941; and

WHEREAS, The system of vesting administrative duties and responsibilities in a commission which meets only periodically is unsound both from a theoretical as well as a practical standpoint because it results either in the commission dissipating its time on administrative details or delegating its administrative functions to an executive officer who, because such delegation is revocable at any time, can never be sure of where he stands; and

WHEREAS, The system of having a policy- and rule-making body with a statutory officer to exercise the administrative function has operated successfully in the cases of the State Board of Public Health, the State Board of Forestry, the State Park Commission and various other agencies; and

WHEREAS, In 1949, this Senate passed and sent to the Assembly Senate Bill No. 1638 which would have created the office of State Fish and Wildlife Administrator and vested in him the statutory duty of administering the provisions of the Fish and Game Code in conformity with the policies and rules presented by the Fish and Game Commission, leaving the powers delegated to the commission under the so-called plenary powers provisions (Article 1, Chapter 2, Division 1) vested in the commission; and

WHEREAS, The Assembly did not pass Senate Bill No. 1638 but rather it committed the subject matter thereof to the Assembly Interim Committee on Fish and Game, created at the 1949 Regular Session; and

WHEREAS, The Senate Interim Committee on Fish and Game created by Senate Resolution No. 15, 1949 Regular Session, has continued to study and investigate the administration of the fish and game laws; and

WHEREAS, Legislation to provide for the reorganization of the Division of Fish and Game will, in all likelihood, be considered at the 1951 Regular Session of the Legislature and any reorganization pursuant to the existing laws would not now be timely and, if carried out in accordance with the commission's present plan, might prove to involve a considerable amount of wasteful motion; and

WHEREAS, The need for the reorganization of the Division of Fish and Game has been known to exist for a number of years and the postponement of such reorganization until the Legislature has had time to act upon the matter would be preferable to rushing through a reorganization scheme of which large parts might subsequently have to be undone; now, therefore, be it



*Resolved by the Senate of the State of California, That the Fish and Game Commission and its Executive Officer are hereby requested to refrain from proceeding with any plan for the reorganization of the Division of Fish and Game, that the fiscal officers of the Department of Natural Resources and of the Department of Finance are hereby requested to withhold approval of any fiscal documents or procedures to effectuate such a plan, and that the State Personnel Board is requested to refrain from establishing any new positions or making any reclassification of existing positions which are designed to effectuate such a plan; and be it further*

*Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Governor, the members of the Fish and Game Commission, the executive officer of said commission, the Director of Finance, the Director of Natural Resources, the members of the State Personnel Board and the executive officer of said board.*

Resolution read, and on motion of Senator Williams, unanimously adopted.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

**Senate Concurrent Resolution No. 1**—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the eleventh day of April, 1950.

Resolution read.

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

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Jespersen, Johnson, Judah, McBride, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—28.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

**Senate Concurrent Resolution No. 2**—Approving amendments to the charter of the City of San Leandro, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a municipal election held therein on the fourth day of April, 1950.

Resolution read.

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

**AYES**—Senators Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Jespersen, Johnson, Judah, McBride, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**RESOLUTIONS**

The following resolution was offered:

By Senator Ward:

**Senate Resolution No. 19**

Relative to augmenting the funds of the Senate Interim Committee on Workmen's Compensation Benefits

*Resolved by the Senate of the State of California*, That in addition to any money heretofore made available, the sum of three thousand five hundred dollars (\$3,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Interim Committee on Workmen's Compensation Benefits (created by Senate Resolution No. 153, 1949 General Session) and its members, and for any charges, expenses, or claims it may incur under said resolution, to be paid from said contingent fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, and referred to Committee on Rules.

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

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

**Senate Bill No. 39:** By Senator Dillinger—An act to amend Sections 5902, 5935 and the heading of Article 3a of Chapter 5 of Division 8 of the Elections Code, relating to absent voting.

Referred to Committee on Elections.

**Senate Bill No. 40:** By Senator Williams—An act to add Sections 1502.5, 1503, 1508, and 1509, Article 2.5, comprising Sections 1518 to 1518.3, inclusive, and Article 4.5, comprising Sections 1535 to 1535.6, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to civil defense, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 41:** By Senators Tenney, Watson, Burns, Rich, Sutton, Cunningham, Swing, and Dilworth—An act to add Section 1106 to the Labor Code, relating to subversive organizations.

Referred to Committee on Labor.

**Senate Bill No. 42:** By Senators Burns, Tenney, Coombs, Dilworth, Desmond, and Watson—An act to add Chapter 8 to Division 4, Title 1, of the Government Code, relating to an oath of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 43:** By Senator Regan—An act to add Section 4126.6 to the Public Resources Code, relating to the closure to entry of lands to prevent fires of incendiary origin, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Natural Resources.

**Senate Joint Resolution No. 3:** By Senators Drobish, Jespersen, and Dilworth—Relative to the priority of schools under federal allocation program affecting construction.

Referred to Committee on Education.

**Senate Constitutional Amendment No. 2:** By Senators Tenney, Watson, Burns, and Dilworth—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XX thereof a new section to be numbered 3.1, relating to loyalty investigations and oaths.

Referred to Committee on Governmental Efficiency.

# REPORTS OF STANDING COMMITTEES

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 7

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11, committee vote: Ayes 6; absent 5.

SWING, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 25

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

SWING, Chairman

Above reported bill ordered to second reading.

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolution ordered to third reading.

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 23

Respectfully reports the same back without recommendation for the reason that no committee action has been taken as the bill is not within the call of the special session.

SWING, Chairman

**Committee on Education**

SENATE CHAMBER, SACRAMENTO, September 22, 1950

**MR. PRESIDENT:** The Committee on Education, to which were referred:

Senate Bill No. 35

Senate Bill No. 32

Senate Bill No. 30

Senate Bill No. 33

Senate Bill No. 31

Senate Bill No. 34

**Has** had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

JESPERSEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, September 22, 1950

**MR. PRESIDENT:** The Committee on Education, to which were referred:

Senate Bill No. 22

Senate Bill No. 29

**Has** had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

JESPERSEN, Chairman

Above reported bills ordered to second reading.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)****Senate Bill No. 25**—An act to amend Sections 20890 and 20894.5 of the Government Code, relating to the State Employees' Retirement System in respect to absence of members in military service and contributions therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 35**—An act to add an article heading and to add Article 2, to Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 30**—An act to amend Section 5046 of the Education Code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 31**—An act to add Section 5051.1 to Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 32**—An act to amend Sections 5103 and 5107 of, and to add Section 5105.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 33**—An act to add Section 5046.1 to the Education Code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 34**—An act to add Section 5048.1 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 22**—An act to amend Section 5050 of the Education Code, relating to apportionments of state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

On page 1 of the printed bill, between lines 4 and 5, insert “, as of the date on which the conditional apportionment is made,”.

##### Amendment No. 2

On page 1, line 12, of said bill, after “permitted”, insert “, as of the date on which the conditional apportionment is made”.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 29**—An act to amend Sections 5055 and 5056 of, and to add Sections 5048.2 and 5057.1 to, Chapter 16 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

##### Amendment No. 1

On page 1, line 14, of the printed bill, after the period insert “If the board has approved an application and made an apportionment as to a portion or portions of a project, the board may approve the remaining portion or portions of the project and make an additional apportionment or apportionments within two years after the original approval without requiring a district to issue additional bonds.”

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 22, 1950

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

Assembly Bill No. 2

Assembly Bill No. 3

Assembly Bill No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bills were read the first time :

**Assembly Bill No. 2**—An act making an appropriation for the mileage of the members and officers of the Assembly, to take effect immediately.

Without reference to committee.

**Assembly Bill No. 3**—An act making an appropriation for the contingent expenses of the Assembly, including committee expenses, to take effect immediately.

Without reference to committee.

**Assembly Bill No. 4**—An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1950 Third Extraordinary Session of the Legislature, to take effect immediately.

Without reference to committee.

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Bills Nos. 2, 3, and 4 at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILLS NOS. 2, 3, AND 4****Resolution to Suspend Constitutional Provision**

The following resolution was offered :

By Senator Powers :

*Resolved*, That Assembly Bills Nos. 2, 3, and 4 present 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.

**Call of the Senate**

Pending the announcement of the vote, Senator Powers moved a call of the Senate.

Motion carried. Time, 11.05 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 11.07 a.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the resolution to suspend the Constitution was adopted by the following vote :

**AYES**—Senators Breed, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hulse, Jespersen, Johnson, Judah, McBride, Miller, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—27.

**NOES**—None.

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

**CONSIDERATION OF ASSEMBLY BILLS NOS. 2, 3, AND 4**

**Assembly Bill No. 2**—An act making an appropriation for the mileage of the members and officers of the Assembly, to take effect immediately.

Bill read second time.

**Assembly Bill No. 3**—An act making an appropriation for the contingent expenses of the Assembly, including committee expenses, to take effect immediately.

Bill read second time.

**Assembly Bill No. 4**—An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1950 Third Extraordinary Session of the Legislature, to take effect immediately.

Bill read second time.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 2**—An act making an appropriation for the mileage of the members and officers of the Assembly, to take effect immediately.

Bill read third time, and presented by Senator Powers.

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

**AYES**—Senators Breed, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hulse, Jespersen, Johnson, Judah, McBride, Miller, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3**—An act making an appropriation for the contingent expenses of the Assembly, including committee expenses, to take effect immediately.

Bill read third time, and presented by Senator Powers.

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

**AYES**—Senators Breed, Busch, Collier, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hulse, Jespersen, Johnson, Judah, McBride, Miller, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 4**—An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1950 Third Extraordinary Session of the Legislature, to take effect immediately.

Bill read third time, and presented by Senator Powers.

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

**AYES**—Senators Breed, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hulse, Jespersen, Johnson,

Judah, McBride, Miller, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward,  
Watson, Way, Weybret, and Williams—29.  
NOES—None

Bill ordered transmitted to the Assembly.

#### ADJOURNMENT

At 11.15 a.m. on motion of Senator Powers, the President declared the Senate adjourned until 9 a m., Saturday, September 23, 1950.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE  
1950 THIRD EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

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FOURTH LEGISLATIVE DAY  
FOURTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Saturday, September 23, 1950

The Senate met at 9 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day :

Senator Collier, on motion of Senator Powers, due to legislative business.

Senator Crittenden, on motion of Senator Powers, due to legislative business.

Senator Dorsey, on motion of Senator Powers, due to legislative business.

Senator Mayo, on motion of Senator Powers, due to legislative business.

Senator Miller, on motion of Senator Powers, due to legislative business.

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator Parkman, on motion of Senator Powers, due to legislative business.

Senator Rich, on motion of Senator Powers, due to legislative business.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. Bernard Regan of Sacramento.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 22, 1950

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

Assembly Bill No. 12

Assembly Bill No. 13

Assembly Bill No. 24

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 22, 1950

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

Assembly Concurrent Resolution No. 1

Assembly Concurrent Resolution No. 2

Assembly Concurrent Resolution No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 12**—An act to amend Sections 5103 and 5107 of, and to add Section 5105.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 13**—An act to amend Sections 4353 and 3211.92 of the Labor Code, relating to disaster service workers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Labor.

**Assembly Bill No. 24**—An act to add Section 5051.1 to Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 1**—Relative to approving amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of June, 1950.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 2**—Relating to adjournment in respect to the memory of Mr. Nion R. Tucker.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 3**—In honor of the late John P. McLaughlin.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 22, 1950

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

Senate Concurrent Resolution No. 1

Senate Concurrent Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1

Senate Bill No. 27

Senate Bill No. 8

Senate Bill No. 28

Senate Bill No. 9

Senate Joint Resolution No. 1

Senate Bill No. 10

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 25

Senate Bill No. 33

Senate Bill No. 30

Senate Bill No. 34

Senate Bill No. 31

Senate Bill No. 35

Senate Bill No. 32

Senate Joint Resolution No. 2

And reports the same correctly engrossed.

POWERS, Chairman

##### Committee on Finance

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 5

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and re-refer to the inactive file.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

##### Committee on Elections

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Bill No. 2

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

WEYBRET, Chairman

Above reported bill ordered to second reading.

**Committee on Education**

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 36

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 6

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, September 22, 1950

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 3

Senate Bill No. 13

Senate Bill No. 4

Senate Bill No. 24

Has had the same under consideration, and reports the same back with the recommendation: Do pass and re-refer to the Inactive File.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bills ordered to second reading.

**MOTION TO READ BILLS SECOND TIME**

Senator Breed moved that all bills reported from committees be given second reading and placed on third reading file.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)****Senate Bill No. 5**—An act making an appropriation to the Attorney General to be expended during the 1950-51 Fiscal Year, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 2, of the printed bill, after "appropriated", insert "out of the General Fund in the State Treasury".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to inactive file.

**Senate Bill No. 2**—An act to add Sections 48, 49, 132.6, 5901.5, 5932.5, 5935.5, and 5936.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 36**—An act to amend Section 5109 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Motion to Re-refer Senate Bill No. 36**

Senator Dilworth moved that Senate Bill No. 36 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 6**—An act making an appropriation for the contingent expenses of the Senate, including committee expenses, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 3**—An act making an appropriation for support of the California Disaster Act, to take effect immediately.

Bill read second time, ordered engrossed, and to inactive file.

**Senate Bill No. 4**—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to inactive file.

**Senate Bill No. 13**—An act making an appropriation for preparation of plans and specifications of an office building for the Department of Employment, to take effect immediately.

Bill read second time, ordered engrossed, and to inactive file.

**Senate Bill No. 24**—An act making an appropriation in augmentation of the appropriation in Item 179 of the Budget Act of 1950 for support of the Adjutant General and California National Guard, relating to internal security, providing for the support of the California Defense and Security Corps, to take effect immediately.

Bill read second time, ordered engrossed, and to inactive file.

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

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

**Senate Bill No. 44:** By Senators Jespersen, Drobish, and Mayo—An act to add Chapter 1.8, comprising Sections 5120 to 5120.25, inclusive, to Division 3 of the Education Code, relating to the creation of a State Public School Building Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing school districts to enter into contracts to lease; and authorizing and regulating the issuance of bonds by the authority; and providing for the payment of the bonds and the rights of the holders of the bonds; and granting the right of eminent domain; and increasing the powers and duties of the Department of Education; and providing that no debt

of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Referred to Committee on Education.

**Senate Bill No. 45:** By Senator Jespersen—An act to add Section 18058 to the Education Code, relating to the purchase by school districts of supplies, materials, or equipment for national emergency training instruction, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 46:** By Senator Watson—An act relating to institutions under the control of the Department of Mental Hygiene, declaring the urgency thereof to take effect immediately.

Referred to Committee on Institutions.

**Senate Bill No. 47:** By Senator Watson—An act relating to institutions under the control of the Department of Mental Hygiene and the use of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Institutions.

**Senate Joint Resolution No. 4:** By Senator Hatfield—Relative to memorializing Congress and the Department of Agriculture to have research and investigation on beet leafhoppers in California undertaken by the United States Bureau of Entomology and Plant Quarantine.

Referred to Committee on Agriculture.

**Senate Concurrent Resolution No. 5:** By Senator Hatfield—Relative to the suppression of beet leafhoppers.

Referred to Committee on Agriculture.

**Senate Concurrent Resolution No. 6:** By Senator Abshire—Relative to approving amendments to the charter of the City of Santa Rosa, a municipal corporation in the county of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eleventh day of April, 1950.

#### **Request for Unanimous Consent**

Senator Abshire asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, for consideration.

#### **CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6**

**Senate Concurrent Resolution No. 6**—Relative to approving amendments to the charter of the City of Santa Rosa, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eleventh day of April, 1950.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, McBride, Powers, Regan, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### MOTION TO RESCIND

Senator Williams moved that the Senate rescind its action whereby Senate Resolution No. 15, was adopted on September 20, 1950.

Motion carried.

#### CONSIDERATION OF SENATE RESOLUTION NO. 15

##### Senate Resolution No. 15

Relative to the reorganization of the Division of Fish and Game

WHEREAS, The organization of the Division of Fish and Game and its relationship to the Fish and Game Commission and to the Department of Natural Resources have been matters as to which much study has been given over a period of years; and

WHEREAS, The Fish and Game Commission has recently adopted a plan for reorganizing the Division of Fish and Game which, if put into operation, would perpetuate the basic weakness which exists in the present administration and enforcement of the fish and game laws, which is that the purely administrative functions are vested in the commission rather than in a single responsible administrator; and

WHEREAS, It is generally agreed by those who have studied the matter that the Fish and Game Commission should be a policy- and rule-making body and that the function of carrying out the fish and game laws in accordance with the policies and rules of the commission should be vested by statute in a single administrator; and

WHEREAS, The Administrative Analysis Section in the Department of Finance, which is the state agency charged with the duty of studying the organization of state agencies, made a study of the Division of Fish and Game and recommended that the Fish and Game Commission be made a policy-making body and divorced from the administrative details of the operations of the division; and

WHEREAS, Mr. Daniel H. Blood, Deputy Director and Comptroller of the Department of Natural Resources reached the same conclusion in a study which appears in the Appendix of the Senate Journal of 1949 as a part of the report of the Senate Interim Committee on Fish and Game created by Senate Resolution No. 108 of the 1947 Regular Session, which report also shows that said committee, of which Senator Carter was chairman, also reached the same conclusion; and

WHEREAS, The same conclusion was also reached by the citizens committee on state organization in what is commonly known as the Griffenhagen Report to the Governor and the Legislature in 1941; and

WHEREAS, The system of vesting administrative duties and responsibilities in a commission which meets only periodically is unsound both from a theoretical as well as a practical standpoint because it results either in the commission dissipating its time on administrative details or delegating its administrative functions to an executive officer who, because such delegation is revocable at any time, can never be sure of where he stands; and

WHEREAS, The system of having a policy- and rule-making body with a statutory officer to exercise the administrative function has operated successfully in the cases of the State Board of Public Health, the State Board of Forestry, the State Park Commission and various other agencies; and

WHEREAS, In 1949, this Senate passed and sent to the Assembly Senate Bill No. 1638 which would have created the office of State Fish and Wildlife Administrator and vested in him the statutory duty of administering the provisions of the Fish and Game Code in conformity with the policies and rules presented by the Fish and Game Commission, leaving the powers delegated to the commission under the so-called plenary powers provisions (Article 1, Chapter 2, Division 1) vested in the commission; and

WHEREAS, The Assembly did not pass Senate Bill No. 1638 but rather it committed the subject matter thereof to the Assembly Interim Committee on Fish and Game, created at the 1949 Regular Session; and

WHEREAS, The Senate Interim Committee on Fish and Game created by Senate Resolution No. 15, 1949 Regular Session, has continued to study and investigate the administration of the fish and game laws; and

WHEREAS, Legislation to provide for the reorganization of the Division of Fish and Game will, in all likelihood, be considered at the 1951 Regular Session of the Legislature and any reorganization pursuant to the existing laws would not now be timely and, if carried out in accordance with the commission's present plan, might prove to involve a considerable amount of wasteful motion; and

WHEREAS, The need for the reorganization of the Division of Fish and Game has been known to exist for a number of years and the postponement of such reorganization until the Legislature has had time to act upon the matter would be preferable to rushing through a reorganization scheme of which large parts might subsequently have to be undone; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Fish and Game Commission and its Executive Officer are hereby requested to refrain from proceeding with any plan for the reorganization of the Division of Fish and Game, that the fiscal officers of the Department of Natural Resources and of the Department of Finance are hereby requested to withhold approval of any fiscal documents or procedures to effectuate such a plan, and that the State Personnel Board is requested to refrain from establishing any new positions or making any reclassification of existing positions which are designed to effectuate such a plan; and be it further

*Resolved*, That the Secretary of the Senate is directed to transmit copies of this resolution to the Governor, the members of the Fish and Game Commission, the executive officer of said commission, the Director of Finance, the Director of Natural Resources, the members of the State Personnel Board and the executive officer of said board.

Resolution read.

#### Motion to Amend

Senator Williams moved the adoption of the following amendment:

#### Amendment No. 1

In the eighth (8) paragraph of the printed resolution, strike out the words "the State Board of Public Health, the State Board of Forestry, the State Park Commission and".

Amendment read, and adopted.

Resolution ordered amended.

#### Request for Unanimous Consent

Senator Williams asked for, and was granted, unanimous consent to take up Senate Resolution No. 15, at this time, for consideration as amended.

### CONSIDERATION OF SENATE RESOLUTION NO. 15, AS AMENDED

#### Senate Resolution No. 15

Relative to the reorganization of the Division of Fish and Game

WHEREAS, The organization of the Division of Fish and Game and its relationship to the Fish and Game Commission and to the Department of Natural Resources have been matters as to which much study has been given over a period of years; and

WHEREAS, The Fish and Game Commission has recently adopted a plan for reorganizing the Division of Fish and Game which, if put into operation, would perpetuate the basic weakness which exists in the present administration and enforcement of the fish and game laws, which is that the purely administrative functions are vested in the commission rather than in a single responsible administrator; and

WHEREAS, It is generally agreed by those who have studied the matter that the Fish and Game Commission should be a policy- and rule-making body and that the function of carrying out the fish and game laws in accordance with the policies and rules of the commission should be vested by statute in a single administrator; and

WHEREAS, The Administrative Analysis Section in the Department of Finance, which is the state agency charged with the duty of studying the organization of state agencies, made a study of the Division of Fish and Game and recommended that the Fish and Game Commission be made a policy-making body and divorced from the administrative details of the operations of the division; and

WHEREAS, Mr. Daniel H. Blood, Deputy Director and Comptroller of the Department of Natural Resources reached the same conclusion in a study which appears in the Appendix of the Senate Journal of 1949 as a part of the report of the Senate Interim Committee on Fish and Game created by Senate Resolution No. 108 of the 1947 Regular Session, which report also shows that said committee, of which Senator Carter was chairman, also reached the same conclusion; and



WHEREAS, The same conclusion was also reached by the citizens committee on state organization in what is commonly known as the Griffenhagen Report to the Governor and the Legislature in 1941; and

WHEREAS, The system of vesting administrative duties and responsibilities in a commission which meets only periodically is unsound both from a theoretical as well as a practical standpoint because it results either in the commission dissipating its time on administrative details or delegating its administrative functions to an executive officer who, because such delegation is revocable at any time, can never be sure of where he stands; and

WHEREAS, The system of having a policy- and rule-making body with a statutory officer to exercise the administrative function has operated successfully in the cases of various other agencies; and

WHEREAS, In 1949, this Senate passed and sent to the Assembly Senate Bill No. 1638 which would have created the office of State Fish and Wildlife Administrator and vested in him the statutory duty of administering the provisions of the Fish and Game Code in conformity with the policies and rules presented by the Fish and Game Commission, leaving the powers delegated to the commission under the so-called plenary powers provisions (Article 1, Chapter 2, Division 1) vested in the commission; and

WHEREAS, The Assembly did not pass Senate Bill No. 1638 but rather it committed the subject matter thereof to the Assembly Interim Committee on Fish and Game, created at the 1949 Regular Session; and

WHEREAS, The Senate Interim Committee on Fish and Game created by Senate Resolution No. 15, 1949 Regular Session, has continued to study and investigate the administration of the fish and game laws; and

WHEREAS, Legislation to provide for the reorganization of the Division of Fish and Game will, in all likelihood, be considered at the 1951 Regular Session of the Legislature and any reorganization pursuant to the existing laws would not now be timely and, if carried out in accordance with the commission's present plan, might prove to involve a considerable amount of wasteful motion; and

WHEREAS, The need for the reorganization of the Division of Fish and Game has been known to exist for a number of years and the postponement of such reorganization until the Legislature has had time to act upon the matter would be preferable to rushing through a reorganization scheme of which large parts might subsequently have to be undone; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Fish and Game Commission and its executive officer are hereby requested to refrain from proceeding with any plan for the reorganization of the Division of Fish and Game, that the fiscal officers of the Department of Natural Resources and of the Department of Finance are hereby requested to withhold approval of any fiscal documents or procedures to effectuate such a plan, and that the State Personnel Board is requested to refrain from establishing any new positions or making any reclassification of existing positions which are designed to effectuate such a plan; and be it further

*Resolved*, That the Secretary of the Senate is directed to transmit copies of this resolution to the Governor, the members of the Fish and Game Commission, the executive officer of said commission, the Director of Finance, the Director of Natural Resources, the members of the State Personnel Board and the executive officer of said board.

Resolution read as amended, and on motion of Senator Williams, adopted.

#### Senator McBride Presiding

At 9.30 a.m., Senator James J. McBride of the Thirty-third District, presiding.

#### CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

**Senate Bill No. 1**—An act to add Section 1582 to the Military and Veterans Code, relating to interstate preparedness for disasters, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

NOES—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 27**—An act to amend Section 699.5 of the Military and Veterans Code, and to ratify actions of the Department of Veterans Affairs, relating to assistance to veterans and their dependents.

Bill read third time.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 28**—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance for dependents of veterans.

Bill read third time.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 1**—Relative to the United States Marines.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 35**—An act to add an article heading and to add Article 2, to Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—28.

NOES—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 30**—An act to amend Section 5046 of the Education Code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Tenney, Ward, Watson, Way, Weybret, and Williams—27.

NOES—Senator Sutton—1.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Tenney, Ward, Watson, Way, Weybret, and Williams—27.

NOES—Senator Sutton—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 31**—An act to add Section 5051.1 to Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—28.

NOES—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senate Bill No. 32**—An act to amend Sections 5103 and 5107 of, and to add Section 5105.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—27.

NOES—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 34**—An act to add Section 5048.1 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—27.

NOES—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

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

The following resolution was offered:

**Senate Concurrent Resolution No. 7:** By Senator Coombs—Relative to approving an amendment to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1950.

**Request for Unanimous Consent**

Senator Coombs asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 7, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7**

**Senate Concurrent Resolution No. 7**—Relative to approving an amendment to the charter of the City of Napa, a municipal corporation

in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1950.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—26.  
NOES—None.

Resolution ordered transmitted to the Assembly.

# CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 8**—An act to add Section 12006 to the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Motion to Amend

Senator Ward moved the adoption of the following amendment :

#### Amendment No. 1

On page 1, line 4, of the printed bill, strike out "chapter", and insert "part".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 10**—An act to amend Sections 4353 and 3211.92 of the Labor Code, relating to disaster service workers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—29.  
NOES—None.

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

AYES—Senators Abshire, Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 33**—An act to add Section 5046.1 to the Education Code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—28

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Powers, Regan, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, September 23, 1950

**MR. PRESIDENT:** The Committee on Social Welfare, to which was referred:  
Senate Bill No. 17

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

**DILLINGER**, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, September 23, 1950

**MR. PRESIDENT:** The Committee on Social Welfare, to which were referred:  
Senate Bill No. 19  
Senate Bill No. 20

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance

Committee membership 9; committee vote: Ayes 8; absent 1.

**DILLINGER**, Chairman

Above reported bills ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, September 23, 1950

**MR. PRESIDENT:** The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 42

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

**SWING**, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, September 23, 1950

**MR. PRESIDENT:** The Committee on Governmental Efficiency, to which was referred:

Senate Constitutional Amendment No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 6; absent 5.

**SWING**, Chairman

Above reported resolution ordered to third reading.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 17**—An act to add Section 1501.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to provision for the needs of the relatives with whom such children are living, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 19**—An act to amend Sections 3044 and 3044.1 of, and to add Section 3044.05 to, the Welfare and Institutions Code, relating to aid to needy blind, to provide for the aid to needy blind persons in public medical institutions, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 2 of the printed bill, between lines 42 and 43, insert

"Sec. 4. Section 3044.7 is added to said code, to read:

3044.7 In the manner and to the extent permitted by the Social Security Act in making available federal financial participation in payments to public medical institutions for care in behalf of needy blind persons, payments may be made to such public medical institutions monthly at the time determined by the State Department of Social Welfare and in an amount equal to the aid grant which would otherwise be paid directly to the recipient, but first deducting therefrom an amount, determined in accordance with standards adopted by the State Department of Social Welfare, deemed essential to meet the personal needs and immediate expenses of recipients, which amount shall be paid directly to the recipient."

**Amendment No. 2**

On page 2, line 43, of said bill, strike out "SEC. 4.", and insert "SEC. 5."

**Amendment No. 3**

On page 2, line 45, of said bill, strike out "SEC. 5.", and insert "SEC. 6."

**Amendment No. 4**

In line 2 of the title of said bill, after "3044.05", insert "and Section 3044.7".

**Amendment No. 5**

On page 1, line 4, of said bill, after "any", insert "federal institution or while he is an inmate of any".

**Amendment No. 6**

On page 2 of said bill, strike out lines 36 to 42, inclusive, and insert

"3044.05. For the purposes of this chapter, an applicant for or recipient of aid under this chapter who is an inmate and patient in a state institution shall be deemed to be a person who has no county residence as provided in this chapter for such time as he remains an inmate and patient in a state institution."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 20**—An act to amend Sections 2160 and 2160.7 of, and to add Section 2160.2 to, the Welfare and Institutions Code, relating to the aid of old age security recipients in medical institutions, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 3 of the printed bill, between lines 24 and 25, insert :

"Sec. 3. Section 2183.7 is added to said code, to read :

2183.7. In the manner and to the extent permitted by the Social Security Act in making available federal financial participation in payments to public medical institutions for care in behalf of needy aged persons, payments may be made to such public medical institutions monthly at the time determined by the State Department of Social Welfare and in an amount equal to the aid grant which would otherwise be paid directly to the recipient, but first deducting therefrom an amount, determined in accordance with standards adopted by the State Department of Social Welfare, deemed essential to meet the personal needs and immediate expenses of recipients, which amount shall be paid directly to the recipient."

**Amendment No. 2**

On page 3, line 25, of said bill, strike out "SEC. 4.", and insert "SEC. 5."

**Amendment No. 3**

On page 3, line 27, of said bill, strike out "SEC. 5.", and insert "SEC. 6."

**Amendment No. 4**

In line 2 of the title of said bill, after "2160.2", insert "and Section 2183.7".

**Amendment No. 5**

On page 2, line 21, of said bill, after "any", insert "federal institution and who is not an inmate of any other".

**Amendment No. 6**

On page 3 of said bill, strike out lines 18 to 24, inclusive, and insert

"2160.2. For the purposes of this chapter, an applicant for or recipient of and under this chapter who is an inmate and patient in a state institution shall be deemed to be a person who has no county residence as provided in this chapter for such time as he remains an inmate and patient in a state institution."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 42**—An act to add Chapter 8 to Division 4, Title 1, of the Government Code, relating to an oath of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, September 23, 1950

MR. PRESIDENT : The Committee on Rules has examined :

Senate Bill No. 2

Senate Bill No. 13

Senate Bill No. 3

Senate Bill No. 24

Senate Bill No. 4

Senate Bill No. 36

Senate Bill No. 6

And reports the same correctly engrossed.

POWERS, Chairman

**ADJOURNMENT**

At 10.35 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m., Monday, September 25, 1950.

JOHN F. LEA, Minute Clerk



**CALIFORNIA LEGISLATURE**  
**1950 THIRD EXTRAORDINARY SESSION**

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# SENATE DAILY JOURNAL

**FIFTH LEGISLATIVE DAY**  
**SIXTH CALENDAR DAY**

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## **IN SENATE**

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**SENATE CHAMBER, SACRAMENTO**  
**Monday, September 25, 1950**

The Senate met at 11 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### **ROLL CALL**

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

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

Quorum present.

### **PRAYER**

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### **LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day:

Senator Collier, on motion of Senator Powers, due to legislative business.

Senator Jespersen, on motion of Senator Powers, due to legislative business.

### **GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dan Peek of San Diego.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 23, 1950

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

Assembly Bill No. 6	Assembly Bill No. 34
Assembly Bill No. 7	Assembly Bill No. 35
Assembly Bill No. 15	Assembly Bill No. 37
Assembly Bill No. 26	Assembly Bill No. 41
Assembly Bill No. 31	Assembly Bill No. 43
Assembly Bill No. 33	Assembly Bill No. 44

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 23, 1950

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

Assembly Bill No. 9

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 6**—An act making an appropriation in augmentation of the appropriation in Item 179 of the Budget Act of 1950 for support of the Adjutant General and California National Guard, relating to internal security providing for the support of the California Defense and Security Corps, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 7**—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 15**—An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections.

**Assembly Bill No. 26**—An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 5935.5, 5936.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections.

**Assembly Bill No. 31**—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance for dependents of veterans.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 33**—An act making an appropriation for the organization and maintenance of the California Defense and Security Corps or any other authorized militia organized to replace the National

Guard of this State while said guard is in active federal service, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 34**—An act to amend the title to Chapter 3, Part 2, Division 2, to amend Sections 51, 120, 422, 551, 552, 553, 554, 555, 557, 560, 561, 562, and to add 566 and 643.1 to the Military and Veterans Code, relating to the creation, organization and administration of a security and reserve force, the rules and regulations for government of such forces and reserves, the pay and allowances of said forces, the appointment of armory boards, federal service, Uniform Code of Military Justice, workmen's compensation, employment of members of National Guard with said forces, restoration of state duty after federal service, disposition of National Guard funds, termination of commissions and discharge of members of said forces, unemployment insurance, decorations, wearing of the uniform and composition of office of the Adjutant General, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 35**—An act to amend Sections 395 and 395.1 of the Military and Veterans Code, relating to rights of public officers and employees to return to office or employment after military service, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 37**—An act to add Article 2.5, comprising Sections 21000 to 21002, inclusive, to Chapter 8 of Part 3 of Division 5 of Title 2 of the Government Code, relating to the State Employees' Retirement System in respect to state employment of persons who have attained the age of compulsory retirement, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 41**—An act to add Section 1501.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to provision for the needs of the relatives with whom such children are living, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Assembly Bill No. 43**—An act to add Section 5048.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 44**—An act to add Section 20890.5 to the Government Code, relating to retirement rights of members of the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 9**—An act making an appropriation for support of the California Disaster Act, to take effect immediately.

Referred to Committee on Finance.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 23, 1950

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

Assembly Concurrent Resolution No. 5

Assembly Concurrent Resolution No. 6

Assembly Concurrent Resolution No. 8

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

**Assembly Concurrent Resolution No. 5**—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a consolidated direct primary and special municipal election held therein on the sixth day of June, 1950.

Resolution ordered held at the desk.

**Assembly Concurrent Resolution No. 6**—Relative to adjournment in respect to the memory of Clifton R. Montgomery.

#### Request for Unanimous Consent

Senator Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

**Assembly Concurrent Resolution No. 6**—Relative to adjournment in respect to the memory of Clifton R. Montgomery.

Resolution read, and adopted by rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 8**—Relative to the selection of the Legislative Counsel of California.

#### Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 8, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8**

**Assembly Concurrent Resolution No. 8**—Relative to the selection of the Legislative Counsel of California.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 23, 1950

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 17

Senate Bill No. 29

Senate Bill No. 22

Senate Bill No. 42

Senate Constitutional Amendment No. 2

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 5

Senate Bill No. 8

And reports the same correctly engrossed.

POWERS, Chairman

**Committee on Agriculture**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Joint Resolution No. 4

Senate Concurrent Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 13; committee vote: Ayes 8; absent 5

CRITTENDEN, Chairman

Above reported resolutions ordered to third reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 1**—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the eleventh day of April, 1950;

**Senate Concurrent Resolution No. 2**—Approving amendments to the charter of the City of San Leandro, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a municipal election held therein on the fourth day of April, 1950;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-fifth day of September, 1950, at 11 a.m.

POWERS, Chairman

**Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Social Welfare, to which were referred.

Senate Bill No. 15

Senate Bill No. 16

Respectfully reports the same back with the recommendation that they be referred to the Joint Legislative Budget Committee for careful study and the results of their investigation reported to the Regular 1951 Session of the Legislature.

DILLINGER, Chairman

Report read.

The president put the question: All those in favor of the recommendation of the Committee on Social Welfare, say "Aye."

The recommendation of the committee was unanimously adopted.

The President ordered Senate Bills Nos. 15 and 16 re-referred to the Joint Legislative Budget Committee.

**RESOLUTIONS**

The following resolution was offered:

By Senators Brown and Mayo:

**Senate Resolution No. 20**

WHEREAS, Senate Bills Nos. 15 and 16 of this, the 1950 Third Extraordinary Session of the Legislature, propose the establishment of a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act; and

WHEREAS, The Senate Committee on Social Welfare after a full and complete hearing has found that the need for a program of the type proposed is widely recognized but that the medical and social problems involved in the legislative proposals are so complex and so intimately related to the existing programs for aid to the needy that a thorough study of the matter should be undertaken before any legislation is enacted; and

WHEREAS, That committee has referred the bills to the Joint Legislative Budget Committee for the purpose of making such a study; and

WHEREAS, It appears that through such a study much valuable information can be obtained which may vitally affect many of the important details of the proposed legislation; and

WHEREAS, It is important that the required information be obtained as quickly as possible in order that legislative consideration and the full activation of a state and federal plan on this important subject be made during the 1951 Regular Session; now, therefore, be it

*Resolved by the Senate of the California Legislature*, That the Joint Legislative Budget Committee is hereby directed to complete a thorough study of the bills relating to a program of aid to the needy permanently and totally disabled as directed by the Senate Committee on Social Welfare as quickly as possible and to file its report thereon with the Senate Committee on Social Welfare and with the Legislature not later than March 10, 1951.

Resolution read.

**Previous Question**

Senator Swing moved the previous question.

Motion carried.

The President put the question.

The question being on the adoption of Senate Resolution No. 20.

**Roll Call Demanded**

Senators Hatfield, Swing, Weybret, and Busch demanded a roll call.

The roll was called, and Senate Resolution No. 20 adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Dorsey, Drobish, Gibson, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, Parkman, Powers, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

**NOES**—Senators Busch, Dillinger, Donnelly, Johnson, Miller, and Regan—6.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Rich asked for, and was granted, unanimous consent to have the following Estimated Condition of General Fund as of June 30, 1951, printed in the Journal:

**DIVISION OF BUDGETS AND ACCOUNTS****DEPARTMENT OF FINANCE**

September 21, 1950

**ESTIMATED CONDITION OF GENERAL FUND AS OF JUNE 30, 1951**

Under the budget for 1950-51 as finally adopted, with the revenues as then estimated, there would have been an unbudgeted surplus as of June 30, 1951, of \$2,371,619.

Then the 1950 Special Session adopted additional appropriations amounting to \$4,674,725, the principal one being Chapter 74, for additional support of schools for \$4,615,000. Without savings or additional revenues these appropriations would have caused an accumulated deficit at June 30, 1951, of \$2,302,906. The Department of Finance gave assurances, however, that at least the amount of this deficit would be made up by savings in state operating expenses, which would have left the General Fund with neither a surplus nor a deficit at the end of the current year.

Developments since last April have changed both the revenue and expenditure outlook. Revenues will undoubtedly exceed estimates if present trends continue and if war mobilization restrictions do not too greatly curtail civilian spendable income. Substantial increases in costs are even more certain.

General Fund revenues might easily exceed estimates by from 20 to 30 millions of dollars during the remainder of the fiscal year. Conceivably the increase could be greater still should inflationary factors become more pronounced. (Very rigid restrictions on civilian spending conceivably could, on the other hand, cut our revenues below the budget estimate.)

Out of these anticipated increases in revenues we must meet some heavy increases in expenditures. Increase in the Aid to Needy Children case load will require almost \$5,000,000 more than budgeted, even after allowance for the added federal aid under H. R. 6000. Without provision for future price increases, present prices of foodstuffs will add almost \$2,000,000 to our budget for hospitals and other institutions. Allowances will very likely have to be made for other price advances.

There will be deficiencies in the appropriations for the Department of Agriculture because of the beet leafhopper eradication program, for forest fire suppression because of the extraordinarily heavy forest fires this season, for veterans' education allowances, and for the costs of this special session. These deficiencies will aggregate approximately \$1,500,000.

The appropriations for civilian defense and the Defense and Security Corps will amount to approximately \$900,000. The new welfare program for disabled persons will conservatively add \$5,000,000 to the State's costs.

A number of departments are finding extreme difficulty in recruiting and retaining personnel because of competition with higher pay in other

employment. Some provision undoubtedly should be made for pay increases.

These items, with allowance for unforeseen contingencies, will add from 15 to 20 millions to this year's General Fund expenditures. Thus we would end the fiscal year with an accumulated unbudgeted General Fund surplus of from five to ten millions.

A much greater accumulated surplus would be highly desirable in light of inevitable increases in Fiscal Year 1951-52. A rough preliminary estimate indicates that school and welfare costs alone will require some \$30,000,000 more than during the current fiscal year. Reserves for capital outlay will be completely exhausted; the General Fund must finance at least a minimum outlay of from 15 to 20 million. Price, wage and population increases will add further millions. The prospect of meeting the State's needs within the present tax structure is not good even with heavy increases in revenue yields which inflation may produce.

### RESOLUTIONS

The following resolution was offered :

By Senators Dorsey, Burns, Tenney, Drobish, Watson, Williams, Johnson, Crittenden, Abshire, and Coombs :

#### Senate Resolution No. 21

Relative to cessation of further proceedings in the matter of the contemplated removal of the California Institution for Women, from the present site at Tehachapi to another location near Chino

WHEREAS, (1) The State Legislature in 1947 authorized the removal of the California Institution for Women from Tehachapi to some other location,

(2) The Department of Corrections has recently advertised for bids for the construction of buildings at a new site near Chino, which bids will be opened October 24, 1950, and contracts possibly will be let at that time unless deferred for the reason hereinafter mentioned;

(3) Since the passage by the Legislature of the statute of 1947 above mentioned extensive opposition has arisen over the entire State of California from women's clubs, granges, chambers of commerce, organizations and individuals against the proposed removal of the institution; and the Senate Standing Committee on Institutions in 1949, after investigation and study found that the present institution near Tehachapi is ideally located for a women's prison and with the expenditure of a small sum of money can be expanded to meet the needs of the increased inmate population, the removal of the institution to be unnecessary and a flagrant waste of the taxpayers' money; and in its report to the State Senate recommended the repeal of the said 1947 statute authorizing such removal;

(4) That, the Federal Government has placed a ban upon said materials essential to the war and which materials are necessary in the contemplated construction of the buildings at the new site, bids for which have been called for as aforesaid;

(5) That the use of materials at the proposed new site will encroach upon and hamper the availability of essential materials for other greatly needed improvements of present state buildings such as proper facilities for school children, care of the mentally ill and other unfortunate people needing institutional care, etc., and that essential materials should not be put into another institution for women when with small outlay the present institution can be made to serve adequately;

(6) That the construction of such new buildings at the new site can without detriment to the State be deferred until the cessation of hostilities in which the United States, assisting the United Nations is now engaged in Korea; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature of the State of California hereby requests the Governor of the State of California and the Director of Corrections cease all proceedings in the matter of the removal of the California Institution for Women from its present location near Tehachapi until the cessation of hostilities in which the United States of America, assisting the United Nations, is now engaged in Korea and until further hearings on the said objection to such removal and further studies can be made at the next regular session of the Legislature in 1951; and be it further



*Resolved*, That the Secretary of the Senate be and is hereby directed to transmit copies of this resolution to the Honorable Earl Warren, Governor of California, to the State Director of Corrections and to the State Director of Public Works

Resolution read, and referred to Committee on Rules.

**Senator Desmond Presiding**

At 11.50 a.m., Senator Earl D. Desmond of the Nineteenth District, presiding.

# **REPORTS OF STANDING COMMITTEES**

## **Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT. The Committee on Rules has examined:

Senate Concurrent Resolution No. 5

Senate Joint Resolution No. 4

And reports the same correctly engrossed.

POWERS, Chairman

## **Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 40

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

SUTTON, Chairman

Above reported bill ordered to second reading.

## **Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 23, 1950

MR. PRESIDENT. The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 3

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

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT. The Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 4

Assembly Concurrent Resolution No. 1

Assembly Concurrent Resolution No. 2

Assembly Concurrent Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolutions ordered to third reading.

## **MOTION TO READ BILLS SECOND TIME**

Senator Breed moved that all bills reported from committees be given second reading and placed on third reading file.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 40**—An act to add Sections 1502.5, 1503, 1508, and 1509, Article 2.5, comprising Sections 1518 to 1518.3, inclusive, and Article 4.5, comprising Sections 1535 to 1535.6, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to civil defense, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

On page 5 of the printed bill, between lines 42 and 43, insert "SEC. 8.5. The provisions of this act shall remain in effect until the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature and thereafter shall have no force or effect."

Amendment read, and adopted.

Bill ordered printed and re-referred to Committee on Finance.

**Motion to Print With Rush Order**

Senator Williams moved that Senate Bill No. 40 be sent to print with a rush order.

Motion carried.

**Senate Concurrent Resolution No. 3**—Relative to commending the F. B. I. and urging all persons to cooperate with it in combatting sabotage, espionage and subversive activities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Rules:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "and"; also, all of lines 11, 12, 13, 14, and 15 down to and including the semicolon.

**Amendment No. 2**

On page 1, line 24, of said bill, place a period after "enemies", and strike out the words "in accord-" and all of line 25.

**Amendment No. 3**

Strike out all of pages 2 and 3.

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**Senate Bill No. 8**—An act to add Section 12006 to the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

**Motion to Amend**

Senator Ward moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "county," insert "or any person designated by the sheriff, board of police commissioners, chief of police, or other head of the police department,".

**Amendment No. 2**

On page 1, line 11, of said bill, after "use", insert "explosives".

**Amendment No. 3**

On page 1, line 12, of said bill, strike out "the quantity of explosive specified in the permit".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Motion to Print With Rush Order**

Senator Ward moved that Senate Bill No. 8 be sent to print with a rush order.

Motion carried.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Judah asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 1, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1**

**Assembly Concurrent Resolution No. 1**—Relative to approving amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of June, 1950.

Resolution read, and presented by Senator Judah.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.  
**NOES**—None.

Resolution ordered transmitted to the Assembly.

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

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

**Senate Bill No. 48:** By Senator Dilworth—An act to add Section 5064.1 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 49:** By Senators Regan and Johnson—An act to create a commission to make studies and recommend legislation to protect civil rights and to strengthen internal security of the State.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 50:** By Senators Burns, Watson, Desmond, Coombs, Tenney, and Dilworth—An act relating to the registration of members of communist organizations and regulating the activities of registrants.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 51:** By Senator Regan—An act creating an Anti-Communist Civil Liberties Defense Commission, and prescribing its powers and duties.

Referred to Committee on Governmental Efficiency.

**Senate Concurrent Resolution No. 8:** By Senators Tenney, Mayo, Sutton, Dillinger, Hatfield, Regan, Johnson, Way, Brown, and Powers—Relative to participation by the State in the stockpiling of essential minerals for the national defense.

Referred to Committee on Rules

**Senate Joint Resolution No. 5:** By Senators Dilworth, Williams, Breed, Donnelly, and Weybret—Relative to requesting the United States State Department to make available to the California Senate Investigating Committee on Education certain information relating to Californians traveling to and from the Union of Soviet Socialist Republics.

Referred to Committee on Rules.

#### REPORTS OF STANDING COMMITTEES

SENATE CHAMBER, SACRAMENTO, September 23, 1950

**MR. PRESIDENT:** The Committee on Rules has appointed Senator Gibson to serve as a member of the Senate Interim Committee on Governmental Reorganization, under the terms of Senate Resolution No 142, to take the place of Senator Keating, resigned.

SENATE COMMITTEE ON RULES  
POWERS, Chairman

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 33

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 30

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 8  
Assembly Bill No. 25  
Assembly Bill No. 30

Assembly Bill No. 39  
Assembly Bill No. 59  
Assembly Bill No. 61

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

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

The following bills were read the first time :

**Assembly Bill No. 8**—An act relating to the unified program for construction, improvement and equipment for state agencies, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 25**—An act to protect property by making criminal certain unlawful entries on, injuries to and interference with, property, authorizing the closing of streets, and to provide penalties for the violation thereof, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

**Assembly Bill No. 30**—An act to amend Section 699.5 of the Military and Veterans Code, and to ratify actions of the Department of Veterans Affairs, relating to assistance to veterans and their dependents.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 39**—An act to amend Sections 20890 and 20894.5 of the Government Code and Sections 14449, 14495.2, and 14702 of the Education Code, relating to public retirement systems in respect to absence of members in military service and contributions therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 59**—An act to amend Sections 19533, 19533.1 of and to add Section 19533.2 to the Government Code in respect to the rights of veterans in the state civil service.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 61**—An act to add Chapter 8 to Division 4, Title 1, of the Government Code, relating to an oath of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**RECESS**

At 12 35 p.m., on motion of Senator Powers, the Senate recessed until 4.30 p.m.

**REASSEMBLED**

At 4.30 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

**REPORTS OF STANDING COMMITTEES****Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 33

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

SUTTON, Chairman

Above reported bill re-referred to Committee on Finance.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Assembly Bill No. 13

Assembly Bill No. 44

Assembly Bill No. 37

Assembly Bill No. 59

Assembly Bill No. 39

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

SWING, Chairman

Above reported bills ordered to second reading.

**Committee on Elections**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Elections, to which was referred:

Assembly Bill No. 26

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Elections, to which was referred:

Assembly Bill No. 15

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

WEYBRET, Chairman

Above reported bill ordered to second reading.

**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Assembly Bill No. 31

Assembly Bill No. 35

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

SUTTON, Chairman

Above reported bills ordered to second reading.

**Committee on Institutions**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Institutions, to which were referred:

Senate Bill No. 46

Senate Bill No. 47

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be referred to Committee on Finance.

Committee membership 8; committee vote: Ayes 8.

DORSEY, Chairman

Above reported bills referred to Committee on Finance.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 8

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 4

And reports the same correctly engrossed.

POWERS, Chairman

**REQUEST FOR UNANIMOUS CONSENT**

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 2, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2**

**Assembly Concurrent Resolution No. 2**—Relating to adjournment in respect to the memory of Mr. Nion R. Tucker.

Resolution read, and presented by Senator O'Gara.

Resolution adopted by rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

Resolution ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT**

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 3, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3**

**Assembly Concurrent Resolution No. 3**—In honor of the late John P. McLaughlin.

Resolution read, and presented by Senator O'Gara.

Resolution adopted by rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

Resolution ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT**

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 5, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 5**

**Assembly Concurrent Resolution No. 5**—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a consolidated direct primary and special municipal election held therein on the sixth day of June, 1950.

Resolution read, and presented by Senator O'Gara.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator O'Gara moved a call of the Senate.

Motion carried. Time, 4.40 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 34

Senate Bill No. 27

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bills ordered to unfinished business file.

**Request for Unanimous Consent**

Senator Coombs asked for, and was granted, unanimous consent to take up Senate Bill No. 27, at this time, for consideration of Assembly amendments.

**Consideration of Assembly Amendments**

**Senate Bill No. 27**—An act to amend Section 699.5 of the Military and Veterans Code, and to ratify actions of the Department of Veterans Affairs, relating to assistance to veterans and their dependents.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 27?

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "Deceased."

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 27 by the following vote:

AYES—Senators Abshire, Brown, Burns, Coombs, Dorsey, Drobish, Gibson, Johnson, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, and Weybret—21

NOES—None.

Above bill ordered enrolled.



# RESOLUTIONS

The following resolution was offered :

By Senator Abshire :

## Senate Resolution No. 22

Relative to requesting the President of the United States to set aside a day of prayer for the Nation

WHEREAS, The Legislature of the State of California has been convened in special session due to the disturbed conditions in the world ; and

WHEREAS, This Nation considers freedom of religion as one of the bulwarks of its Constitution ; and

WHEREAS, There exist nations in the world opposed to our Christian way of life ; and

WHEREAS, The founding fathers and great leaders of this Nation have realized the need of prayer ; and

WHEREAS, This great Nation can be guided and helped by prayer ; now, therefore, be it

*Resolved by the Senate of the State of California*, That this body respectfully request the President of the United States to set aside a day of prayer for divine guidance in this troubled world ; and be it further

*Resolved*, That the Secretary of the Senate is directed to transmit a copy of this resolution to the President of the United States, and to the governor of each state.

Resolution read, and on motion of Senator Abshire, adopted.

## FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.50 p.m., on motion of Senator O'Gara, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Concurrent Resolution No. 5 adopted by the following vote :

AYES—Senators Abshire, Brown, Burns, Coombs, Dorsey, Drobish, Gibson, Johnson, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, and Weybret—21.

NOES—None.

Resolution ordered transmitted to the Assembly.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

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

Assembly Concurrent Resolution No. 11

Assembly Concurrent Resolution No. 13

Assembly Concurrent Resolution No. 14

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By HAROLD F. LEWRIGHT, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read :

**Assembly Concurrent Resolution No. 11**—Relating to domestic espionage, sabotage, subversive activities and related matters.

Referred to Committee on Rules

**Assembly Concurrent Resolution No. 13**—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of June, 1950.

**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 13, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13**

**Assembly Concurrent Resolution No. 13**—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of June, 1950.

Resolution read.

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

**AYES**—Senators Abshire, Brown, Burns, Coombs, Dorsey, Drobish, Gibson, Johnson, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—21.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

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

The following resolution was read:

**Assembly Concurrent Resolution No. 14**—Relative to the award of the Nobel Peace Prize to Dr. Ralph J. Bunche.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 6

Senate Concurrent Resolution No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1

Senate Bill No. 10

Senate Bill No. 31

Senate Bill No. 32

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 8**—An act to add Section 12006 to the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Cunningham, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 9**—An act to repeal Section 15 of the Sabotage Prevention Act, relating to the protection of property and the prevention of, and punishment for, sabotage.

Bill read third time.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 25**—An act to amend Sections 20890 and 20894.5 of the Government Code, relating to the State Employees' Retirement System in respect to absence of members in military service and contributions therefor, and declaring the urgency thereof, to take effect immediately.

**Motion to Refer Bill to Inactive File**

Senator Weybret moved that Senate Bill No. 25 be placed on the inactive file.

Motion carried.

**Senate Joint Resolution No. 2**—Relative to federal legislation to control subversive activities.

**Motion to Re-refer Senate Joint Resolution No. 2**

Senator Dilworth moved that Senate Joint Resolution No. 2 be re-referred to Committee on Rules.

Motion carried.

**Senate Bill No. 22**—An act to amend Section 5050 of the Education Code, relating to apportionments of state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—33.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 29**—An act to amend Sections 5055 and 5056 of, and to add Sections 5048.2 and 5057.1 to, Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—34.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### Senator McBride Presiding

At 5.18 p.m., Senator James J. McBride of the Thirty-third District, presiding.

**Senate Bill No. 6**—An act making an appropriation for the contingent expenses of the Senate, including committee expenses, to take effect immediately.

Bill read third time.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 42**—An act to add Chapter 8 to Division 4, Title 1, of the Government Code, relating to an oath of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 5 24 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**MOTION TO ADMINISTER OATH OF OFFICE**

Senator Tenney moved that the Secretary of the Senate be instructed to now administer this oath

"I, -----, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means, that within the five years immediately preceding the taking of this oath I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows: ----- and that during such time as I am a member

(If no affiliations, write in the words "No Exceptions") or employee of the Senate I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means."

to every Member of the Senate, which is voluntary, and that after this oath is administered, copies of the oath be printed and every member be supplied with same.

Motion carried.

**Point of Order**

Senator Hatfield rose to a point of order and stated that Senator Tenney's motion violates the Constitution as set forth in Article XX, Section 3, which provides that no oath other than that set forth is required.

The President announced that it is not for the presiding officer to rule on questions involving the interpretation of the Constitution.

**Motion to Reconsider**

Senator Hatfield moved to reconsider the vote whereby the Senate on this day adopted a motion by Senator Tenney that the Members of the Senate take an oath of office as provided for in the motion.

**Point of Order**

Senator Desmond rose to a point of order and stated that the motion to reconsider is out of order due to the fact that the President has not ruled upon the point of order relative to the motion by Senator Tenney. If that point of order is determined, it would be unnecessary to vote on the motion to reconsider.

**Point of Order**

Senator Desmond rose to a point of order and stated that the Chair is required to rule on the point of order.

The President put the point of order by Senator Hatfield to the Senate for decision.

**Motion to Lay on Table**

Senator Swing moved that Senator Hatfield's point of order be laid on the table.

Motion carried.

**Previous Question**

Senator Rich moved the previous question.

Motion carried.

The question being on the motion to reconsider the vote whereby the Senate adopted the motion by Senator Tenney that the Secretary of the Senate administer oaths to Members of the Senate.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Senators Busch, Hatfield, Miller, Regan, and Ward—5.

NOES—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Johnson, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Sutton, Swing, Tenney, Watson, Way, and Williams—30.

**Motion to Request Opinion From Legislative Counsel**

Senator Hatfield moved that the Senate request the Legislative Counsel to give an opinion as to whether or not if the oath required by Senator Tenney's motion is false as to a Senator, and if there is any penalty, or whether the Secretary of the Senate is authorized to administer the oath.

**Previous Question**

Senator Desmond moved the previous question.

Motion carried.

**Roll Call Demanded**

Senators Crittenden, Hatfield, and Tenney demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Senators Busch, Cunningham, Dillinger, Drobish, Hatfield, Mayo, Miller, Regan, Sutton, and Ward—10.

NOES—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Johnson, Judah, Kraft, McBride, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Watson, Way, and Williams—25.

**Motion to Administer Oath of Office**

Senator Swing moved that the Secretary of the Senate proceed forthwith to administer the oath by calling the roll, and an aye vote is an affirmation of the oath.

Motion carried.

The Secretary called the roll, and the following Senators subscribed to the foregoing oath by acclamation:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Johnson, Judah, Kraft, Mayo, McBride, O'Garra, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—34.

**NOES**—Senators Hatfield and Miller—2.

# **CONSIDERATION OF DAILY FILE (RESUMED)**

## **THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Constitutional Amendment No. 2**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XX thereof a new section to be numbered 3.1, relating to loyalty investigations and oaths.

Resolution read.

### **Previous Question**

Senator Rich moved the previous question.

Motion carried.

The question being on the adoption of Senate Constitutional Amendment No. 2.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, O'Garra, Parkman, Powers, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32

**NOES**—Senators Dillinger, Johnson, Miller, and Regan—4.

Resolution ordered transmitted to the Assembly.

## **REPORTS OF STANDING COMMITTEES**

### **Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

**MR. PRESIDENT:** The Committee on Social Welfare, to which was referred:

Assembly Bill No. 41

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

**DILLINGER**, Chairman

Above reported bill ordered to second reading.

### **Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

**MR. PRESIDENT:** The Committee on Judiciary, to which was referred:

Assembly Bill No. 25

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

Committee membership 11; committee vote: Ayes 9; absent 2.

**WARD**, Chairman

Above reported bill ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 61

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and re-refer to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

SWING, Chairman

Above reported bill ordered to second reading.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Williams:

*Resolved*, That Assembly Bills Nos. 15, 25, and 61 present 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 bills be read the second time.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

NOES—None

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

**SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 15**—An act to add Sections 48, 49, 50, 51, 132 6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Elections:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Assembly September 22, 1950, after "5932.5," insert "5935.5, 5936.5,".

**Amendment No. 2**

On page 1 of said bill, strike out lines 10 to 12, inclusive.

**Amendment No. 3**

On page 2, lines 43 and 44, of said bill, strike out "for the general election,".

**Amendment No. 4**

On page 2, line 48, of said bill, after "affidavit", insert "as prescribed in Article 3 of this chapter".

**Amendment No. 5**

On page 3, lines 1 and 2, of said bill, strike out "in accordance with", and insert "under the provisions of".



**Amendment No. 6**

On page 3, line 2, of said bill, after "132.5", insert "or before any notary public, commissioned officer, warrant officer, or noncommissioned officer of a grade not lower than sergeant or equivalent rating of the armed forces of the United States or any auxiliary branch thereof, or before any minister, consul or vice consul of the United States".

**Amendment No. 7**

On page 3, line 27, of said bill, after "other", insert "city,".

**Amendment No. 8**

On page 3, line 29, of said bill, after "other", insert "city,".

**Amendment No. 9**

On page 3 of said bill, between lines 33 and 34, insert

"When the affidavit is received by a clerk, other than a county clerk, the clerk receiving it shall, after the election, transmit it to the county clerk who, in case the affidavit is not subject to rejection, shall file the original and make a duplicate thereof which duplicate shall be used as are other duplicate affidavits of registration. If an affidavit of registration is rejected it shall be returned to the applicant with the reason for rejection endorsed thereon, together with a new blank form of affidavit."

**Amendment No. 10**

On page 4, lines 19 and 20, of said bill, strike out "serving in the armed forces of the United States, or any auxiliary branch thereof," and insert "a war voter".

**Amendment No. 11**

On page 4, lines 21 and 22, of said bill, strike out "after this act is in effect and no", and insert "not".

**Amendment No. 12**

On page 4, line 22, of said bill, strike out "general".

**Amendment No. 13**

On page 4, line 23, of said bill, after "election", insert a period.

**Amendment No. 14**

On page 4, line 23, of said bill, strike out "November 7, 1950."

**Amendment No. 15**

On page 4 of said bill, strike out lines 24 to 28, inclusive.

**Amendment No. 16**

On page 4, line 51, of said bill, strike out the period and insert "except in the case of a municipal election in a city of the fifth or sixth class in which case such ballots shall be received by the clerk as provided in Section 5932."

**Amendment No. 17**

On page 4 of said bill, after line 51, insert

"SEC. 11.5. Section 5935.5 is added to said code, to read:

5935.5. Whenever the clerk receives an application for an absent voter's ballot from a war voter, the clerk shall ascertain whether or not the applicant is a registered elector. If the applicant is not a registered elector the clerk shall mail to the applicant one blank form of registration affidavit and the provisions of Section 132.6 relating to registration of war voters shall apply.

SEC. 11.6. Section 5936.5 is added to said code, to read:

5936.5. The clerk shall deliver each affidavit of registration which he has received from a war voter and which he has found to be sufficient to the precinct board in which the absent voter resides together with the identification envelope containing the absent voter's ballot. Upon completion of the canvass at the polls the affidavits of registration shall be returned to the clerk, who shall proceed as provided in Section 132.6."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 25**—An act to protect property by making criminal certain unlawful entries on, injuries to and interference with, property, authorizing the closing of streets, and to provide penalties for the violation thereof, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 2, line 26, of the printed bill, as amended in Assembly September 23, 1950, strike out "nor", and insert "and the maximum punishment shall be imprisonment in the state prison for not".

**Amendment No. 2**

On page 3, line 3, of said bill, strike out "nor", and insert "and the maximum punishment shall be imprisonment in the state prison for not".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 61**—An act to add Chapter 8 to Division 4, Title 1, of the Government Code, relating to an oath of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "oath", insert "or affirmation".

**Amendment No. 2**

In line 3 of the title of said bill, after the comma, insert "making an appropriation for administrative expenses in connection therewith,".

**Amendment No. 3**

On page 1, line 4, of said bill, after "oath", insert "or affirmation".

**Amendment No. 4**

On page 2, line 3, of said bill, after "oath", insert "or affirmation".

**Amendment No. 4a**

On page 2, line 1, of said bill, strike out "or", and insert "of".

**Amendment No. 5**

On page 2, line 5, of said bill, after "oath", insert "or affirmation".

**Amendment No. 5a**

On page 2, line 17, of said bill, after "that", insert "now".

**Amendment No. 6**

On page 2, line 19, strike out "five" and insert "three".

**Amendment No. 7**

On page 2, line 20, of said bill, after "oath", insert "(or affirmation)".

**Amendment No. 8**

On page 2, line 34, of said bill, after "oath", insert "or affirmation".

**Amendment No. 9**

On page 2, line 37, of said bill, after "oath", insert "or affirmation".

**Amendment No. 10**

On page 2, line 38, of said bill, after "oath", insert "or affirmation".

**Amendment No. 11**

On page 2, line 41, of said bill, after "oath", insert "or affirmation".

**Amendment No. 12**

On page 2, line 43, of said bill, after "oath", insert "or affirmation".

**Amendment No. 13**

On page 2, line 45, of said bill, after "oath", insert "or affirmation".

**Amendment No. 14**

On page 2 of said bill, between lines 48 and 49, insert "3106. The original copy of the oath or affirmation of any civil defense worker shall be filed with the Secretary of State within 30 days of the date on which it is taken and subscribed."

**Amendment No. 15**

On page 2, line 49, of said bill, strike out "3106", and insert "3107".

**Amendment No. 16**

On page 3, line 2, of said bill, after "oath", insert "or affirmation".

**Amendment No. 17**

On page 3, line 4, of said bill, after "oath", insert "or affirmation".

**Amendment No. 18**

On page 3, line 5, of said bill, strike out "3107", and insert "3108".

**Amendment No. 19**

On page 3, line 6, of said bill, after "oath", insert "or affirmation".

**Amendment No. 20**

On page 3, line 10, of said bill, strike out "3108", and insert "3109".

**Amendment No. 21**

On page 3, line 11, of said bill, after "oath", insert "or affirmation".

**Amendment No. 22**

On page 3, line 11, of said bill, after "of", insert ", or service with,".

**Amendment No. 23**

On page 3, lines 12 and 13, of said bill, strike out "or public district", and insert "public district, or civilian defense organization".

**Amendment No. 24**

On page 3, line 15, of said bill, after "violence," insert "or other unlawful means".

**Amendment No. 25**

On page 3 of said bill, between lines 17 and 18, insert "3110. The Secretary of State shall prepare printed forms containing the oath required by this chapter and shall make such forms available upon request to all persons and agencies subject to this chapter."

**Amendment No. 26**

On page 3, line 18, of said bill, strike out "All public employees," and insert "Subject to the provisions of Section 3 of Article XX of the Constitution, all persons".

**Amendment No. 27**

On page 3, lines 20 and 21, of said bill, strike out "who are employed by any county, city, city and county, state agency, or public district at", and insert "on".

**Amendment No. 28**

On page 3, line 22, of said bill, after "oath", insert "or affirmation".

**Amendment No. 29**

On page 3 of said bill, between lines 29 and 30, insert "SEC. 4. In addition to any other funds heretofore appropriated to the Secretary of State, the sum of \$20,000 is hereby appropriated out of the General Fund in the State Treasury to the Secretary of State for expenses incurred pursuant to Chapter 8, Division 4, Title 1 of the Government Code."

**Amendment No. 30**

On page 3, line 30, of said bill, strike out "4", and insert "5".

**Amendment No. 31**

On page 3, line 13, of said bill, strike out "political".

**Amendment No. 32**

On page 3, line 14, of said bill, after "organization", insert ", political or otherwise,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

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

Assembly Bill No. 5  
Assembly Bill No. 10  
Assembly Bill No. 47

Assembly Bill No. 48  
Assembly Bill No. 49

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

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

Assembly Bill No. 11

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

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

Assembly Bill No. 52

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 5**—An act to add Section 12006 to the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 10**—An act making an appropriation for preparation of plans and specifications of an office building for the Department of Employment, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 47**—An act to add Section 29 to the Education Code, relating to the definition of the word "war" as used in said code, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 48**—An act to add Section 18 to the Military and Veterans Code, relating to the definition of the word "war," declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 49**—An act to amend Section 14702 of the Education Code, relating to members in the armed service.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 11**—An act making an appropriation to the Attorney General to be expended during the 1950-51 Fiscal Year, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 52**—An act to add Sections 1502.5, 1503, 1508, and 1509, Article 2.5, comprising Sections 1518 to 1518 3, inclusive, and Article 4.5, comprising Sections 1535 to 1535.6, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to civil defense, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

# MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 25, 1950

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

Assembly Joint Resolution No. 1

Assembly Joint Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

**Assembly Joint Resolution No. 1**—Relating to memorializing the President and Congress of the United States in respect to residential construction.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 2**—Relative to the priority of schools under federal allocation program affecting construction.

Referred to Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was introduced, and read the first time:

**Senate Bill No. 52:** By Senator Desmond—An act to protect property by making criminal certain unlawful entries on, injuries to and interferences with property, authorizing the closing of streets, and to provide penalties for the violation thereof, to take effect immediately.

Referred to Committee on Judiciary.

## RESOLUTIONS

The following resolutions were offered:

By Senator Hulse:

### Senate Resolution No. 23

Relative to augmenting the fund of the Senate Committee on State and Local Taxation

*Resolved by the Senate of the State of California*, That in addition to any money heretofore made available, the sum of ten thousand dollars (\$10,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Committee on State and Local Taxation (created by Senate Resolution 145, 1949 Regular Session) and its members, and for any charges, expenses, or claims it may incur under said resolution or Senate Resolution No. 34, 1950 Regular Session, to be paid from said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senators Hulse, Burns, Parkman, Powers, and Ward :

**Senate Resolution No. 24**

Relative to Proposition No. 1 which will be submitted to the voters at the General Election Tuesday, November 7, 1950

WHEREAS, Proposition No. 1 as to be submitted to the voters on November 7, 1950, would eliminate all taxes on personal property ; and

WHEREAS, Competent fiscal experts place the total annual revenue derived by state and local governments from personal property taxation at a minimum of \$155,093,000 plus a possible addition of \$44,200,000 which represents the auto in lieu tax collected by the State for county use and the loss of which can only be determined by court decision ; and

WHEREAS, More than 21 percent of local tax collections come from personal property tax assessment and this loss in revenue obviously would have to be replaced immediately as it represents revenue already pledged for expenditure by state and local governments, and Proposition No. 1 makes no provision for replacement of the lost revenue, and state and local government expenditures for the fiscal year have been budgeted on the basis of the present tax structure, and passage of Proposition No. 1 would immediately throw almost every governmental budget out of balance, necessitating hurried imposition of new taxes ; and

WHEREAS, Proposition No. 1 thus becomes a measure not to cut taxes but to shift them, the money still having to be raised ; and

WHEREAS, That revenue undoubtedly could only be raised by imposition of municipal income taxes, vastly increased sales taxes, or taxes of staggering proportions on real property ; and

WHEREAS, Only a small portion of personal property tax collections come from the nominal assessments on household goods—the bulk of collections coming from a special class of business concerns which own little or no real property but carry heavy inventories of equipment, parts and goods ; and

WHEREAS, Under Proposition No. 1 it at once becomes apparent that these taxpayers would shift the major part of their rightful taxes to the already heavily-burdened general public ; and

WHEREAS, Fiscal experts estimate that the state-wide average tax rate on real property would have to be raised from \$5.37 to \$6.71 to compensate for loss of revenue from passage of Proposition No. 1, for example, in one California city, the average homeowner's annual tax bill would have to be increased by \$75.76 ; and

WHEREAS, If the revenue lost were made up by licensed local sales taxes, it is estimated that local sales taxes up to 5½ cents on each dollar of sales would be necessary ; and

WHEREAS, Proposition No. 1 also is a direct threat to California's already distressed educational system as 22 percent of local funds used for school operations come from personal property taxes ; and

WHEREAS, This special session of the Legislature was called, among other reasons, to correct a flaw in the implementation of the 250 million dollar school bond program voted in 1949, and we now know that the only possible relief for hundreds of school districts, if Proposition No. 1 carries, would be to apply for aid under the school bond program and that that program would be vastly inadequate to meet the increased demands ; and

WHEREAS, Unless emergency legislation is passed immediately to provide funds to make up the loss of revenue under Proposition No. 1 teachers salaries and other school operation costs now contracted for could not be met in full despite the fact that in 1946 the people went to the polls and set minimum salary standards for California teachers to avert a teacher shortage ; now, therefore, be it

*Resolved by the Senate of the State of California*, That it is the sense of the Senate that Proposition No. 1, which would require drastic revision of California's tax structure, both state and local, by providing for a shift of the taxes of one class of taxpayer to another already overburdened general taxpayer, is ill conceived in the extreme ; and be it further

*Resolved*, That this Senate thoroughly condemns Proposition No. 1 as an unfair and unwise measure which would only work hardship on the people of the State under the spurious guise of offering tax relief, and this Senate urges a "No" vote on Proposition No. 1 as being in the best interest of the citizens of California.

Resolution read, and referred to Committee on Rules.

By Senator Burns :

**Senate Resolution No. 25**

Relative to subversive activities

WHEREAS, The Congress of the United States of America has enacted into law the "Subversive Activities Control Act of 1950" ; and

WHEREAS, The Subversive Activities Control Act of 1950 provides for the registration of communist-action organizations, communist-front organizations, and members thereof; and

WHEREAS, Legislation now pending before the Legislature of the State of California may conflict with said Subversive Activities Control Act of 1950 as enacted by the Congress; and

WHEREAS, Several cities and counties of this State have enacted ordinances requiring the registration of the members of certain organizations which are operated primarily for the purpose of advancing the objectives of the world communist movement by unlawful means, and the enactment of legislation by the State Legislature in conflict with such local ordinances would have the effect of rendering said local ordinances unenforceable by reason of the provisions of Section 11 of Article XI of the State Constitution; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Senate Interim Committee on Un-American Activities be and is hereby directed to give consideration to the propriety and necessity for state legislation with respect to the control of subversive activities within this State and report its recommendations thereon at its earliest possible convenience after the convening of the regular session of the Legislature in January, 1951.

Resolution read, and referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Finance

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Finance, to which was referred.

Senate Bill No. 36

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bill ordered to second reading.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 36**—An act to amend Section 5109 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

#### Amendment No. 1

On page 1, line 3, of the printed bill, after "5109", insert "Upon request of the State Allocation Board, supported by a statement of the apportionments made and to be made under Chapter 1.6 of Division 3, the State School Building Finance Committee shall determine whether or not it is necessary or desirable to issue any bonds authorized under this chapter in order to make such apportionments, and, if so, the amount of bonds then to be issued and sold."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

## ADJOURNMENT

At 6.27 p.m., on motion of Senator Miller, the President declared the Senate adjourned until 10 a.m. Tuesday, September 26, 1950, out of respect to the memory of Clifton R. Montgomery, Nion R. Tucker, and John P. McLaughlin.

JOHN F. LEA, Minute Clerk





CALIFORNIA LEGISLATURE  
1950 THIRD EXTRAORDINARY SESSION

# SENATE DAILY JOURNAL

SIXTH LEGISLATIVE DAY  
SEVENTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO  
Tuesday, September 26, 1950

The Senate met at 10 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,  
presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—37.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

## LEAVES OF ABSENCE FOR THE DAY

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

Senator Collier, on motion of Senator Powers, due to legislative business.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Nadine Edwards of Ashland, Illinois, and Mrs. Thelma Dawson of St. Louis, Missouri, cousins of Senator Sutton.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Samuel L. Fick and Emert G. Kramer of Sacramento.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Lenore Burris of Sacramento.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joseph W. Vickers, Judge of Superior Court of Los Angeles.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. L. Godfrey of Hooper.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Louis B. Manss of Los Angeles.

On request of Senator Watson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles L. Barkdull of Santa Ana.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Capt. and Mrs. Robert Hager of Los Angeles.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Stadelman, Ronald Thayer, teachers, and the following students of the Arcade School of Sacramento: Juliane St. Amour, Harriet Dons, Carol De Wein, Beverly Greer, John Whitaker, Jim Johnson, Roger Berg, Tom Schilling, Lester Keith, Barry Marliare, Barry Moydell, Janet Biggs, Joe Ramsey, Sharon Palmer, Jane Green, Roland Pemberton, Reva Dixon, Jo Lingenfelter, Ken Householder, John Brokaw, Don Turner, Gary Jordan, Diane Newburg, Patsy Teran, Rosemary Russel, Donna Brandon, Mary Garrett, Eldon Stultz, Kenneth McGraw, Glenn Elam, Gailyn Brace, Tom Jackson, Don Reed, and Bill Zahary.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harry J. Johnson, Dr. McLamore, Paul Robinson, and Al Browning of Porterville.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Miller of Napa State Hospital and Dr. Wright Murray of Napa.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Ed Friel of Oxnard.

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ralph N. Kleps and Mrs. William R. O'Leary of Sacramento.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Finance

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 40	Assembly Bill No. 8
Senate Bill No. 46	Assembly Bill No. 9
Senate Bill No. 47	Assembly Bill No. 10
Assembly Bill No. 6	Assembly Bill No. 11
Assembly Bill No. 7	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bills ordered to second reading.

**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 34

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 1.

SUTTON, Chairman

Above reported bill ordered to second reading.

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, September 25, 1950

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 7

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

RICH, Chairman

Above reported bill ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 36

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined.

Senate Concurrent Resolution No. 3

And reports the same correctly engrossed.

POWERS, Chairman

**MOTION TO READ BILLS SECOND TIME**

Senator Burns moved that all bills reported from committees be given second reading and placed on third reading file.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 40**—An act to add Sections 1502.5, 1503, 1508, and 1509, Article 2.5, comprising Sections 1518 to 1518.3, inclusive, and Article 4.5, comprising Sections 1535 to 1535.6, inclusive, to Chapter 1

of Division 7 of the Military and Veterans Code, relating to civil defense, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 46**—An act relating to institutions under the control of the Department of Mental Hygiene, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 47**—An act relating to institutions under the control of the Department of Mental Hygiene and the use of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 14**—An act relating to the unified program for construction, improvement and equipment for state agencies, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

##### Amendment No. 1

On page 1, line 24, of the printed bill, strike out "327.8", and insert "372.8".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 7**—An act to add Section 11011 to the Government Code, relating to contracts between state agencies and the United States, making an appropriation for administrative expenses in connection therewith, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

##### Amendment No. 1

Strike out the title of the printed bill, and insert

"An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately."

##### Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 17, inclusive, and insert

"SECTION 1. In addition to the powers otherwise conferred upon the Department of Public Works, said department and each division thereof is hereby authorized to perform any engineering, architectural, construction, maintenance, or mechanical work for or on behalf of the Government of the United States, when requested so to do in writing by the Bureau of Public Roads, the Maritime Commission, the Army, Air Force, or the Navy, where such work is to be completely financed by federal funds, except for general administrative expense, and said department may enter into agreements with the authorized officials of the United States for the performance of any such work. Any architectural or construction work on buildings shall be limited to projects on property owned or controlled by the State.

Any such agreement providing for such work to be done by Division of Architecture or Division of Water Resources shall be subject to the approval of the Department of Finance.

In the performance of any such federally financed work by the department, it may adopt any procedure as to the letting of contracts for, the conduct of, or the payment for, the work, that is requested by the authorized agents of the above-mentioned agencies of the United States or required by federal laws, rules, or regulations. In the absence of any such requirement or request, such work shall be performed in accordance with the laws of this State.

The department and the California Highway Commission, as to such work to be performed by the Division of Highways, are and each of them is authorized to do any and all things in connection therewith as may be done in connection with state highways and may acquire therefor, in accordance with state law, any necessary property, real or personal, or interest therein.

In addition to the purposes for which moneys are appropriated to said department or any division thereof, all of said moneys or so much thereof as may be necessary, are hereby appropriated and may be expended by the department for the performance of such work; provided, that such expenditures shall be limited to those items for which the Government of the United States has agreed to reimburse the State in full, except for general administrative expenses which shall be chargeable to the funds appropriated for the support or administration of the division doing the work. Such expenditures, to the extent to which the United States is obligated to reimburse the State, shall be considered as temporary advancements for the performance of such work and shall not be considered as expenditures of state funds. Such expenditures must be excluded in making the computations required by Article 2, Chapter 3, Part 1, Division 3 of Title 2 of the Government Code. Moneys received from the Government of the United States as reimbursements for such expenditures shall be deposited in the State Treasury to the credit of the fund from which the advancements were made.

SEC. 2. The sum of ten thousand dollars (\$10,000) is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to the Department of Public Works for the support of the Division of Highways to cover the general administrative and administrative engineering expenses incurred by that division on work other than highway work performed for the Federal Government under this act and from said appropriation there shall be paid to the State Highway Fund quarterly an amount equal to 1 percent of the funds expended for such federal work, other than highway work. The State Controller shall pay such moneys upon claims filed by said department in the manner provided by law.

SEC. 3. This act shall remain in effect until the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature.

SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution, and shall go into immediate effect. The facts constituting such necessity are:

It is vitally necessary to the public peace, health, and safety that immediate provision be made to enable this State through its Department of Public Works to cooperate in all ways possible with the United States Government in connection with national defense and any other activities which may be mutually beneficial to this State and to the United States during the period of the present national emergency, and to protect the citizens of this State and of the United States in the event of war."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

## SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 6**—An act making an appropriation in augmentation of the appropriation in Item 179 of the Budget Act of 1950 for support of the Adjutant General and California National Guard, relating to internal security providing for the support of the California Defense and Security Corps, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 7**—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 8**—An act relating to the unified program for construction, improvement and equipment for state agencies, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 9**—An act making an appropriation for support of the California Disaster Act, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 10**—An act making an appropriation for preparation of plans and specifications of an office building for the Department of Employment, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 11**—An act making an appropriation to the Attorney General to be expended during the 1950-51 Fiscal Year, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 34**—An act to amend the title to Chapter 3, Part 2, Division 2, to amend Sections 51, 120, 422, 551, 552, 553, 554, 555, 557, 560, 561, 562, and 640 of, and to add 566 and 643.1 to the Military and Veterans Code, relating to the creation, organization and administration of a security and reserve force, the rules and regulations for government of such forces and reserves, the pay and allowances of said forces, the appointment of armory boards, federal service, Uniform Code of Military Justice, workmen's compensation, employment of members of National Guard with said forces, restoration of state duty after federal service, disposition of National Guard funds, termination of commissions and discharge of members of said forces, unemployment insurance, decorations, wearing of the uniform and composition of office of the Adjutant General, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Military and Veterans Affairs:

##### **Amendment No. 1**

In line 3 of the title of the printed bill as amended in Assembly September 23, 1950, after "560," strike out "561."

##### **Amendment No. 2**

On page 5 of said bill, strike out lines 14 to 24, inclusive.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**MOTION TO CORRECT THE JOURNAL**

Senator Hatfield moved that the Journal for September 25, 1950, on page 87 be corrected to show that Senator Hatfield voted "no" and refused to take the oath on the roll call subscribing to oath of office as provided in Senator Swing's motion.

Motion carried.

**MOTION TO CORRECT THE JOURNAL**

Senator Miller moved that the Senate Journal for September 25, 1950, be corrected to show that Senator Miller voted "no" when the roll was called on the affirmation of the oath provided in Senator Swing's motion.

Motion carried.

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill No. 30**—An act to amend Section 5046 of the Education Code, and to add Section 5048.6 to said code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 30?

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Code," insert "and to add Section 5048.6 to said code,".

**Amendment No. 2**

On page 1 of said bill, strike out lines 13 to 15, inclusive, and insert "the purchase of desks, tables, chairs, and built-in or fixed equipment, as listed in Part III of the California School Accounting Manual contained in the Bulletin of the California State Department of Education, Volume XIII, No. 2, June 1944, or as amended or revised; and (c) the planning and".

**Amendment No. 3**

On page 1 of the printed bill, between lines 19 and 20, insert

"Sec. 2. Section 5048.6 is added to said code, to read:

5048.6. With respect to any apportionment made to a school district prior to the effective date of the amendment of Section 5046 at the 1950 Third Extraordinary Session, the board may, on the application of the governing board of said district make additional apportionments to the school district for the purchase of such furniture as is authorized by Section 5046 as so amended.

All provisions of this chapter shall apply to apportionments made under this section, except Sections 5048, 5050, 5050.1, and 5051, exclusive of the second paragraph of said Section 5051, and such other provisions as may relate to applications and eligibility for apportionments."

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 30 by the following vote:

**AYES**—None

**NOES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Hatfield, Hulse, McBride, Miller, Parkman, Powers, Regan, Sutton, Swing, Ward, Watson, Way, Weybret, and Williams—25.

**APPOINTMENT OF COMMITTEE ON CONFERENCE**

**MR. PRESIDENT:** The Committee on Rules announces the appointment of Senators Dilworth, Way, and Busch as a Senate Committee on Conference concerning Senate Bill No. 30 to meet a like committee of the Assembly.

**SENATE COMMITTEE ON RULES**  
**POWERS, Chairman**

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 13**—An act to amend Sections 4353 and 3211.92 of the Labor Code, relating to disaster service workers, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 37**—An act to add Article 2.5, comprising Sections 21000 to 21002, inclusive, to Chapter 8 of Part 3 of Division 5 of Title 2 of the Government Code, relating to the State Employees' Retirement System in respect to state employment of persons who have attained the age of compulsory retirement, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 39**—An act to amend Sections 20890 and 20894.5 of the Government Code and Sections 14449, 14495.2, and 14702 of the Education Code, relating to public retirement systems in respect to absence of members in military service and contributions therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

## Motion to Amend

Senator Judah moved the adoption of the following amendments:

## Amendment No. 1

On page 1, line 1, of the title in the printed bill, strike out "An act to amend Sections 20890 and 20894.5 of the Government", and insert "An act to add Sections 20891.1 and 20892.5, and to amend Sections 20890, 20891, 20892, 20894, 20894.1, and 20894.5 of the Government".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 2

On page 1 of said bill, between lines 18 and 19, insert

"SECTION 11. Section 20891 of the Government Code is amended to read:

20891. Any local member so absent *on military service* may contribute to this system [, either] during [his absence on military service or upon his return to State service,] *such absence*, at times and in the manner prescribed by the board, amounts equal to the contributions which would have been made by him to the system on the basis of his compensation earnable at the commencement of his absence if he had remained in state service. When made, such contributions are normal contributions.

SEC. 1.2. Section 20891.1 is added to the Government Code, to read:

20891.1. Any state member *who is absent on military service* may contribute to this system during *such absence*, at times and in the manner prescribed by the board, amounts equal to the contributions which would have been made by him to the system on the basis of his compensation earnable at the commencement of his absence plus the annual salary adjustments which he would have received, if he had not been so absent. For the purposes of this section, such member shall be deemed to have received a service rating for the period of such absence entitling him to annual salary adjustments.

SEC 1.3. Section 20892 of the Government Code is amended to read:

20892. [If he does so contribute, he] Any member *who makes the contributions as provided in Section 20891 or Section 20891.1*, shall receive credit for the absence as state service in the same manner as if he had not been absent from state service. If he does not contribute he shall receive credit for the absence as state service solely for the purpose of qualification for retirement and death benefits.

SEC. 1.4. Section 20892.5 is added to the Government Code, to read:

20892.5. Any member *who was absent on military service and who did not make the contributions as provided in Section 20891 or Section 20891.1, or whose contributions are not paid for him by his employer as provided in Section 20894.5*, may make



*such contributions upon his return to state service at times and in the manner prescribed by the board. If he does so contribute, he shall receive credit for the absence as state service in the same manner as if he had not been absent from state service.*

SEC. 1.5. Section 20894 of the Government Code is amended to read:

20894. When[ever] a member [elects to continue and continues such contributions,] *makes the contributions as provided in Sections 20891, 20891.1, or 20892.5, the same contributions shall be made by the State or contracting agency in respect to such absence that would have been made if the member had not been absent on military service, except that such contributions shall be determined by the employer rate of contribution in effect when such contributions are made.*

SEC. 1.6. Section 20894.1 of the Government Code is amended to read:

20894.1 [The provisions of this article relative to absence on military service apply to local members, including those local members absent on military service on the effective date of the agency's contract making its employees members of this system, to the same extent and in the same manner that they apply to state members.] Any employee of a contracting agency who is or was absent on military service on the effective date of the contract and who would become or would have become a member if he were not so absent becomes or became a member on said effective date, with the same status and rights of membership as if he were not or had not been so absent on said effective date. Any such employee and any other employee of a contracting agency who was absent on military service prior to said effective date shall receive credit as prior service for time during which he was absent on military service prior to said effective date."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 44**—An act to add Section 20890.5 to the Government Code, relating to retirement rights of members of the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 59**—An act to amend Sections 19533, 19533.1 of and to add Section 19533.2 to the Government Code in respect to the rights of veterans in the state civil service.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 26**—An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 5935.5, 5936.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 31**—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance for dependents of veterans.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 35**—An act to amend Sections 395 and 395.1 of the Military and Veterans Code, relating to rights of public officers and employees to return to office or employment after military service, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 395 and 395.1", and insert "Section 395.1".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 21, inclusive; strike out all of page 2, and on page 3, strike out lines 1 to 47, inclusive, and insert

"SECTION 1. Section 395.1 of the Military and Veterans Code is amended to read:"

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 41**—An act to add Section 1501.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to provision for the needs of the relatives with whom such children are living, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**THIRD READING OF SENATE BILLS**

**Senate Joint Resolution No. 4**—Relative to memorializing Congress and the Department of Agriculture to have research and investigation on beet leafhoppers in California undertaken by the United States Bureau of Entomology and Plant Quarantine.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Drobish, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Miller, Parkman, Powers, Sutton, Swing, Watson, Way, Weybret, and Williams—27.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 5**—Relative to the suppression of beet leafhoppers.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Dilworth, Drobish, Hatfield, Hulse, Johnson, Judah, McBride, Miller, Parkman, Powers, Sutton, Swing, Watson, Weybret, and Williams—22.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 3**—Relative to commending the F. B. I. and urging all persons to cooperate with it in combatting sabotage, espionage and subversive activities.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Desmond, Dillinger, Dilworth, Drobish, Hatfield, Hulse, Johnson, Judah, McBride, Miller, Parkman, Powers, Regan, Swing, Ward, Way, and Williams—23.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 4**—Relative to the dismissal of members of the staff of the University of California for failure to disavow membership in subversive organizations.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Hatfield, Hulse, Judah, Kraft, Mayo, Parkman, Powers, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—27.

**NOES**—Senators Dillinger, Gibson, Johnson, Miller, and Regan—5.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 36**—An act to amend Section 5109 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gibson, Hulse, Johnson, Judah, Kraft, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### Senator Breed Presiding

At 11 30 a.m.. Senator Arthur H. Breed, Jr. of the Sixteenth District, presiding.

#### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 15**—An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Williams.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Swing, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Cunningham, Desmond, Donnelly, Drobish, Gibson, Hatfield, Johnson, Judah, Kraft, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 25**—An act to protect property by making criminal certain unlawful entries on, injuries to and interference with, property, authorizing the closing of streets, and to provide penalties for the violation thereof, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Ward.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

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

**AYES**—Senators Breed, Burns, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

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

The following resolution was offered:

**Senate Concurrent Resolution No. 9:** By Senators Dorsey, Burns, Tenney, Drobish, Watson, Williams, Johnson, Crittenden, Abshire, and Coombs—Relative to cessation of further proceedings in the matter of the contemplated removal of the California Institution for Women, from the present site at Tehachapi to another location near Chino.

Referred to Committee on Rules.

**RESOLUTIONS**

The following resolutions were offered:

By Senators Rich and Hatfield:

**Senate Resolution No. 26**

**WHEREAS**, Senate Bills Nos. 19 and 20 of this, the 1950 Third Extraordinary Session of the Legislature, propose the establishment of a program of aid to needy blind and aged persons in public medical institutions in accordance with recent amendments to the Federal Social Security Act; and

**WHEREAS**, The Senate Committee on Finance after a full and complete hearing has found that the need for a program of the type proposed is widely recognized, but that the medical and social problems involved in the legislative proposals are so complex that a thorough study of the matter should be undertaken before any legislation is enacted; and

**WHEREAS**, That committee has referred the bills to the Joint Legislative Budget Committee for the purpose of making such a study; and

**WHEREAS**, It appears that through such a study much valuable information can be obtained which may vitally affect many of the important details of the proposed legislation; and

**WHEREAS**, It is important that the required information be obtained as quickly as possible in order that legislative consideration and the full activation of a state and federal plan on this important subject be made during the 1951 Regular Session; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Joint Legislative Budget Committee is hereby directed to complete a thorough study of the bills relating to a program of aid to needy blind and aged persons in public medical institutions as

directed by the Senate Committee on Finance as quickly as possible, and to file its report thereon with the Senate Committee on Finance and with the Legislature not later than March 10, 1951.

Resolution read, and on motion of Senator Rich, unanimously adopted.

By Senator Swing:

**Senate Resolution No. 27**

WHEREAS, Members of the Senate have learned with deep regret of the passing of the Honorable Lyman Maurice King, a former member of this body; and

WHEREAS, The Honorable Lyman Maurice King was a native of Iowa, coming to California while a child in the early 1870's, received his public schooling at Napa and graduated from Napa College, later moving to Redlands, where he established himself in the newspaper business and was for many years editor of the Redlands Daily Facts; and

WHEREAS, The Honorable Lyman Maurice King served as a presidential elector from the State of California in the year 1908; supervised the taking of the federal census in his district in 1910 and was elected to the State Senate from the Thirtieth Senatorial District November 3, 1914, and served in the Senate during the sessions of 1915, 1917, 1919, and 1921, his career as Senator being marked by diligent attention to his responsibility and keen and active interest in the affairs of the State, among other things being the author of a measure known as the King Tax Bill, a measure to equalize taxes, which measure was keenly contested, its passage being marked by probably the most sensational political battle in the history of the California Legislature; and

WHEREAS, Subsequent to his career as a State Senator, the Honorable Lyman Maurice King served from 1927 to 1931 in the Department of Finance, being active first as the Chief of the Division of Service and Supply, later as Deputy Director and finally during the years 1930 and 1931 as Director of Finance; and

WHEREAS, The Honorable Lyman Maurice King, in addition to all his public service found time for innumerable civic activities in his home city of Redlands and served for many years as President of the Redlands Savings and Loan Association; and

WHEREAS, The Honorable Lyman Maurice King was a gentleman of education and culture, a man of outstanding character and generosity and one most highly respected by all who were so fortunate as to enjoy his acquaintance; now, therefore, be it

*Resolved*, That the Senate of the State of California desires by this resolution to express its commendation of the fine career of the Honorable Lyman Maurice King, and to express its sympathy to the bereaved members of his family; and be it further

*Resolved*, That when the Senate shall adjourn from its labors of this 1950 Third Extraordinary Session, it shall do so in respect to his memory; and be it further

*Resolved*, That the Secretary of the Senate be and he is hereby directed to forward suitably prepared copies of this resolution to the members of the immediate family of the late Lyman Maurice King.

Resolution read, and adopted on rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Doisey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator Hulse moved that Senate Bill No. 13 be taken from the inactive file and placed on the second reading file for the purpose of amendment.

Motion carried

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 13**—An act making an appropriation for preparation of plans and specifications of an office building for the Department of Employment, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Hulse moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, in line 6, after "expended", insert "in accordance with law".

Amendment read, and adopted.

Bill ordered printed, and re-engrossed.

**Motion to Refer Bill to Inactive File**

Senator Hulse moved that Senate Bill No. 13 be placed on the inactive file.

Motion carried.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Powers:

*Resolved*, That Assembly Bills Nos. 13, 37, 39, 44, 59, 26, 31, 35, and 41 present 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 third time, and placed upon its passage

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—34.

**NOES**—None.

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

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 37**—An act to add Article 2.5, comprising Sections 21000 to 21002, inclusive, to Chapter 8 of Part 3 of Division 5 of Title 2 of the Government Code, relating to the State Employees' Retirement System in respect to state employment of persons who have attained the age of compulsory retirement, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Johnson.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—34.

**NOES**—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Johnson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—33.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 13**—An act to amend Sections 4353 and 3211.92 of the Labor Code, relating to disaster service workers, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—31.  
NOES—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—31.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 44**—An act to add Section 20890.5 to the Government Code, relating to retirement rights of members of the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Kraft, Mayo, McBride, Miller, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—32.  
NOES—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Dorsey, Drobish, Gibson, Hatfield, Johnson, Judah, Kraft, Miller, Parkman, Powers, Regan, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 59**—An act to amend Sections 19533, 19533.1 of and to add Section 19533.2 to the Government Code in respect to the rights of veterans in the state civil service.

Bill read third time, and presented by Senator Desmond.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Dorsey, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 26**—An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932 5, 5935 5, 5936 5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Williams.

#### **Urgency Clause**

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Dorsey, Gibson, Hatfield, Johnson, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—29.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Johnson, Kraft, Mayo, O'Gara, Parkman, Powers, Regan, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### **REQUEST FOR UNANIMOUS CONSENT**

Senator Hulse asked for, and was granted, unanimous consent to have the following letter of transmittal of the Senate Interim Committee on State and Local Taxation printed in the Journal, the report printed in the Appendix to the Journal, and that 4,000 copies of the report be printed for distribution :

#### **LETTER OF TRANSMITTAL**

SENATE COMMITTEE ON STATE AND LOCAL TAXATION

CALIFORNIA LEGISLATURE, September 25, 1950

*President of the Senate*

*California Legislature*

*Sacramento, California*

DEAR SIR: Pursuant to Senate Resolution 145, read and adopted July 2, 1949, at the Fifty-ninth Regular Session of the Legislature, the Senate Interim Committee on State and Local Taxation herewith submits a partial and preliminary report of certain of its findings.

The report submitted herewith presents statistical materials on state and local government finance in the United States. On the basis of these data, the committee will submit later reports analyzing the fiscal situation of California and other states.

The committee gratefully acknowledges the cooperation and assistance of officials of the Governments Division of the United States Bureau



of the Census and the officials of the many state and local agencies who generously responded to our many requests and inquiries.

Respectfully submitted,

BEN HULSE, Chairman  
CLARENCE C. WARD, Vice Chairman  
HARRY L. PARKMAN  
HAROLD J. POWERS  
HUGH M. BURNS

# MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

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

Senate Bill No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

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

Assembly Bill No. 56  
Assembly Bill No. 63

Assembly Bill No. 64  
Assembly Bill No. 65

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

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

Assembly Bill No. 66

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

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

Assembly Concurrent Resolution No. 17  
Assembly Concurrent Resolution No. 18

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

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

Assembly Bill No. 70

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 56**—An act to add Chapter 8, comprising Sections 13775 to 13781 inclusive to Part 3, Division 3, Title 2 of the Government Code, relating to social security coverage for employees of public agencies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Assembly Bill No. 63**—An act relating to institutions under the control of the Department of Mental Hygiene, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 64**—An act relating to institutions under the control of the Department of Mental Hygiene and the use of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 65**—An act to add Section 5050.2 to the Education Code, relating to elections upon acceptance, expenditure, and repayment of school building apportionments, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 66**—An act relating to civil defense, making an appropriation to provide facilities, equipment and services essential to the civil defense of California, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 70**—An act to add Section 5047.6 to the Education Code and to amend Sections 5072 and 5073 of said code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 17**—Relative to adjournment in respect to the memory of former Assemblyman A. J. Mathews. Resolution read and ordered placed on file.

**Assembly Concurrent Resolution No. 18**—Relative to adjournment sine die of the 1950 Third Extraordinary Session of the Legislature of the State of California.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly appointed Messrs. Dunn, Kirkwood, and Beck as a Committee on Conference concerning.

**Senate Bill No. 30**—An act to amend Section 5046 of the Education Code, and to add Section 5048.6 to said code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference concerning:

**Senate Bill No. 30**—An act to amend Section 5046 of the Education Code, and to add Section 5048.6 to said code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 15

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 40

Senate Bill No. 46

Senate Bill No. 47

And reports the same correctly engrossed.

POWERS, Chairman

RECESS

At 12 32 p.m., on motion of Senator Powers, the Senate recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 41**—An act to add Section 1501.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to provision for the needs of the relatives with whom such children are living, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Dillinger.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Swing moved a call of the Senate.

Motion carried. Time, 2.50 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
REPORTS OF STANDING COMMITTEES**

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

**MR. PRESIDENT:** The Committee on Finance, to which were referred:

Assembly Bill No. 33

Assembly Bill No. 64

Assembly Bill No. 63

Assembly Bill No. 66

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, September 26, 1950

**MR. PRESIDENT:** The Committee on Finance, to which was referred:

Assembly Bill No. 61

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bill ordered to second reading.

**RESOLUTIONS**

The following resolutions were offered:

By Senator Way:

**Senate Resolution No. 28**

Relative to endorsing and approving the purposes of the Indian Welfare Foundation, a nonprofit California corporation

WHEREAS, Two-thirds of the 24,000 Indians of California are estimated to fall into the lowest income group of the State; and

WHEREAS, The need for improvement of the economic and social conditions under which the Indians of California must live is urgent; and

WHEREAS, Even with the aid of the Federal Government no satisfactory progress has been made to alleviate the situation and to prepare California Indians to assume responsibility as citizens; and

WHEREAS, California Indians must be given an opportunity to take the initiative and participate in matters relating to Indians and the public generally; and

WHEREAS, It is evident that there is an increased interest among California Indians in the participation in organizations organized on their own initiative and composed of Indian members; and

WHEREAS, A nonprofit California corporation, known as the Indian Welfare Foundation, has been organized by California Indians, with a board of directors composed of Indians, for the primary purpose of improving the condition of the California Indians and increasing their educational opportunities by providing scholarships at appropriate educational institutions and promoting their opportunities for gainful employment, and in all other ways assisting them in improving their social and economic conditions; now, therefore, be it

*Resolved by the Senate of the State of California*, That the purposes and proposed plan of the Indian Welfare Foundation, a nonprofit California corporation, are hereby endorsed and approved by the Senate of the State of California; and be it further

*Resolved*, That the Secretary of the Senate be, and he is hereby instructed, to transmit a copy of this resolution to the Indian Welfare Foundation, 186 Cora Street, San Francisco 24, California.

Resolution read, and on motion of Senator Way, adopted.

By Senator Desmond :

**Senate Resolution No. 29**

Relative to purchasing copies of the 1950 Supplement to Witkin's  
Summary of California Law

*Resolved by the Senate of the State of California*, That the Secretary of the Senate be and is hereby authorized and directed to purchase 41 copies of the 1950 Supplement to Witkin's Summary of California Law ; and be it further

*Resolved*, That the Secretary of the Senate be and is hereby directed to deliver one (1) copy of said supplement to each Member of the Senate, and one set to the Secretary of the Senate ; and be it further

*Resolved*, That the Controller be and he hereby is authorized and directed to draw his warrant on the Contingent Fund of the Senate in favor of Sacramento Law Publishing Co. for an amount not to exceed ----- dollars (\$-----) in payment for the said supplements ; and the State Treasurer to pay the same.

Resolution read, and referred to Committee on Rules.

By Senator Ward :

**Senate Resolution No. 30**

Relative to directing the Senate Committee on Rules to set aside funds for the Special Senate Committee on Legislative Representation established by Senate Resolution No. 6 (1950 Third Extraordinary Session)

*Resolved by the Senate of the State of California*, That the Senate Committee on Rules be directed to set aside ----- dollars (\$-----) from the Contingent Fund of the Senate for the payment of any and all expenses incurred by the Special Senate Committee on Legislative Representation or its members pursuant to Senate Resolution No. 6 (1950 Third Extraordinary Session) ; the unexpended balance of such sum to revert to the said contingent fund 10 days after the convening of the Legislature at its 1951 Regular Session.

Resolution read, and referred to Committee on Rules.

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

The following resolution was offered :

**Senate Concurrent Resolution No. 10:** By Senators O'Gara, Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—Relative to adjournment in respect to the memory of Mrs. Agnes Lillian Coyle Regan.

**Request for Unanimous Consent**

Senator O'Gara asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10**

**Senate Concurrent Resolution No. 10**—Relative to adjournment in respect to the memory of Mrs. Agnes Lillian Coyle Regan.

Resolution read, and adopted by rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—38.

Resolution ordered transmitted to the Assembly.

**MOTION TO PRINT PARTIAL REPORT**

Senator O'Gara moved that the letter of transmittal of the Joint Interim Committee on Community Redevelopment and Housing Problems be printed in the Journal, the partial report be printed in the Appendix to the Journal, and that 1,000 copies of the partial report be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL****PARTIAL REPORT OF THE JOINT SENATE-ASSEMBLY  
INTERIM COMMITTEE ON COMMUNITY REDE-  
VELOPMENT AND HOUSING PROBLEMS**

JOINT REDEVELOPMENT AND HOUSING COMMITTEE,  
SAN FRANCISCO 2, CALIFORNIA, September 25, 1950

*Hon. Goodwin J. Knight, President of the Senate*

*Hon. Sam L. Collins, Speaker of the Assembly*  
*State Capitol, Sacramento, California*

DEAR SIRs: Pursuant to the provisions of Senate Concurrent Resolution No. 79, the Joint Legislative Committee on Community Redevelopment and Housing Problems, with particular reference to legislation supplementary to federal legislation, has been carrying out the duties assigned to it.

The committee has inquired into the housing problem throughout California and has held several hearings.

The committee made its preliminary report to the Legislature on April 6, 1950. In that report, it called attention to the great need for a publication setting forth clearly and briefly the main features of the Community Redevelopment Act of California and related statutes.

Several official agencies urged the committee to arrange for the publication and sale at nominal cost of such a document.

Because community redevelopment is a relatively new departure in California, it is little understood by the average person who may be interested in or affected by it.

Officials of the cities of San Francisco and Los Angeles and of the League of California Cities inform our committee that they have received many requests from cities, city officials, chambers of commerce, service clubs, property owners and representatives of the building industry, for a pamphlet which would include the following matters:

- (1) A copy of the Community Redevelopment Act, as amended by the 1950 Legislature.
- (2) A clear statement of the distinction between public housing and community redevelopment.
- (3) The applicable provisions of the current federal laws and regulations concerning community redevelopment. In this connection, it is pointed out that there is not now available any single up-to-date publication which includes both federal and state laws, and rules governing community redevelopment.
- (4) A summary in non-legal language of the steps involved in community redevelopment, with appropriate references to the pertinent statutes.

Mr. Richard Graves, Executive Director, and Mr. Richard Carpenter, Legal Counsel for the League of California Cities, urged that the booklet described be printed and sold under the auspices of this committee for a price not exceeding twenty-five cents.

Accordingly, upon motion of the chairman of this committee, the Senate, on April 13, 1950, ordered that the committee's preliminary Report, together with the booklet described, be printed in the appendix to the Senate Journal and 1,000 copies printed for distribution.

The Legislative Counsel in August completed the compilation of the booklet, the manuscript for which is attached to this report.

The committee therefore requests and recommends that this report and the booklet attached to it be published in the supplement to the Senate Journal, and that 1,000 extra copies of this report, including the booklet, be printed and sold by this committee to interested persons and agencies for a price not exceeding twenty-five cents a copy.

Respectfully submitted,

SENATOR GERALD J. O'GARA, Chairman  
 ASSEMBLYMAN JAMES G. CRICHTON,  
 Vice Chairman

Senators

GEORGE MILLER  
 LOUIS G. SUTTON  
 J. HOWARD WILLIAMS  
 FRED H. KRAFT

Assemblymen

JOHN L. E. COLLIER  
 ROBERT L. CONDON  
 LUTHER H. LINCOLN  
 G. DELBERT MORRIS

# FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.05 p.m., on motion of Senator Swing, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 41 was adopted by the following vote:

AYES—Senators Abshire, Breed, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Johnson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Swing, Tenney, Watson, Way, and Williams—27.

NOES—None.

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

AYES—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Swing, Ward, Watson, Way, Weybret, and Williams—29.

NOES—Senators Abshire, Desmond, and Rich—3.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**REPORTS OF STANDING COMMITTEES****Committee on Education**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Education, to which were referred:

Assembly Bill No. 43

Assembly Bill No. 65

Assembly Bill No. 70

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

DILWORTH, Vice Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Joint Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 6; absent 3.

DILWORTH, Vice Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Joint Resolution No. 2

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

Committee membership 9; committee vote: Ayes 5; noes 1; absent 3.

DILWORTH, Vice Chairman

Above reported resolution ordered to second reading.

**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Joint Resolution No. 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 7; absent 2.

SUTTON, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 52

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

SUTTON, Chairman

Above reported bill ordered to second reading.



## SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT. The Committee on Military and Veterans Affairs, to which were referred :

Assembly Bill No. 47

Assembly Bill No. 48

Assembly Bill No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and do pass as amended.

Committee membership 9 ; committee vote : Ayes 7 ; absent 2.

SUTTON, Chairman

Above reported bills ordered to second reading.

**Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT : The Committee on Social Welfare, to which was referred :

Assembly Bill No. 56

Has had the same under consideration, and reports the same back with the recommendation : Do pass.

Committee membership 9 ; committee vote : Ayes 5 ; absent 4.

DILLINGER, Chairman

Above reported bill ordered to second reading.

**Committee on Public Health and Safety**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT. The Committee on Public Health and Safety, to which was referred :

Assembly Bill No. 5

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and do pass as amended.

Committee membership 9 ; committee vote : Ayes 6 ; absent 3.

BREED, Chairman

Above reported bill ordered to second reading.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered :

By Senator Powers :

*Resolved*. That Senate Bills Nos. 14, 40, 46, 47, 7 and Assembly Bills Nos. 6, 7, 8, 9, 10, 11, 34, 33, 63, 64, 66, 61, 43, 65, 70, 52, 47, 48, 49, 56, 5 present 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 bills be read the second and third times, considered engrossed, and placed upon their passage.

Resolution read.

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

AYES—Senators Abshire, Breed, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Dorsey, Drobish, Gibson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, and Williams—27.

NOES—None.

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

## RESOLUTIONS

The following resolution was offered:

By Senator Dilworth:

**Senate Resolution No. 31**

Relative to requesting the United States State Department to make available to the California Senate Investigating Committee on Education certain information relating to Californians traveling to and from the Union of Soviet Socialist Republics

WHEREAS, There are two major powers in the world today, the United States and the Union of Soviet Socialist Republics; and

WHEREAS, The Soviet Government is currently engaged in world-wide conspiracy to incite civil war in the free nations and has a powerful secret conspiracy organized and active in this Country which presents a clear and present danger to our national safety; and

WHEREAS, The Soviet conspiracy communications operate by means of couriers between this Country and Moscow; and

WHEREAS, The Senate Investigating Committee on Education in pursuing its inquiry into communist propaganda has requested information from the United States State Department about the names of Californians obtaining passports to travel to and from the Soviet; and

WHEREAS, It is evident that contacts between the communist organization in California and the Soviet Government are being maintained by couriers who travel on passports; and

WHEREAS, It would be very helpful to the Senate Interim Committee on Education to identify these important agents of the Soviet engaged in conspiring to overthrow our government both state and national; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Senate of the State of California hereby urgently requests the representatives in Congress from the State of California to do everything in their power to make available to the Senate Interim Committee on Education the information requested about Californians traveling to and from the Soviet; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and referred to Committee on Rules.

**CONSIDERATION OF DAILY FILE (RESUMED)****SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 61**—An act to add Chapter 8 to Division 4, Title 1, of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, making an appropriation for administrative expenses in connection therewith, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. A**

On page 1 of the printed bill, amend the title by striking out all of lines 4 and 5.

**Amendment No. 1**

On page 3 of said bill, as amended in the Senate September 25, 1950, strike out lines 1 to 3, inclusive, and insert

"3106. Compliance with this chapter shall, as to state employees, be deemed full compliance with Chapter 4, Part 1, Division 5, Title 2 of this code, requiring taking of oaths by state employees"

**Amendment No. 2**

On page 3 of said bill, strike out lines 26 to 29, inclusive.

**Amendment No. 3**

On page 3, line 37, of said bill, after the period, insert "Any public employee who is on authorized leave on the thirtieth day after the effective date of this act shall take and subscribe said oath or affirmation within 30 days of his return to work."

**Amendment No. 4**

On page 3 of said bill, strike out lines 44 to 49, inclusive.

**Amendment No. 5**

On page 3, line 50, of said bill, strike out "5", and insert "4".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 33**—An act making an appropriation for the organization and maintenance of the California Defense and Security Corps or any other authorized militia organized to replace the National Guard of this State while said guard is in active federal service, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 63**—An act relating to institutions under the control of the Department of Mental Hygiene, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 64**—An act relating to institutions under the control of the Department of Mental Hygiene and the use of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 66**—An act relating to civil defense, making an appropriation to provide facilities, equipment and services essential to the civil defense of California, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 43**—An act to add Section 5048.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 65**—An act to add Section 5050.2 to the Education Code, relating to elections upon acceptance, expenditure, and repayment of school building apportionments, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 70**—An act to add Section 5047.6 to the Education Code and to amend Sections 5072 and 5073 of said code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Joint Resolution No. 2**—Relative to the priority of schools under federal allocation program affecting construction.

Resolution read.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 9, of the printed measure, strike out "42,000".

Amendment read, and adopted.

Resolution ordered printed, and to third reading.

**Assembly Bill No. 52**—An act to add Sections 1502.5, 1503, 1508, and 1509, Article 2.5, comprising Sections 1518 to 1518.3, inclusive, and Article 4.5, comprising Sections 1535 to 1535.6, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to civil defense, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

On page 5 of the printed bill, between lines 40 and 41, insert "SEC. 85. The provisions of this act shall remain in effect until the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature and thereafter shall have no effect."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Motion to Print With Rush Order**

Senator Williams moved that Assembly Bill No. 52 be sent to print with a rush order.

Motion carried.

**Assembly Bill No. 47**—An act to add Section 29 to the Education Code, relating to the definition of the word "war" as used in said code, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 to 11, inclusive, and insert "California, or while assigned to duty with the military forces of the United States of America or of the State of California in the full".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 48**—An act to add Section 18 to the Military and Veterans Code, relating to the definition of the word "war," declaring the urgency thereof, to take effect immediately.

Bill read second time

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "including active", and strike out lines 9, 10, 11, 12, and 13, and insert "or while assigned to duty with the military forces of the United States of America or of the State of California in the full time paid service of the Ameri-".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 49**—An act to amend Section 14702 of the Education Code, relating to members of school district retirement systems in the armed service.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 to 10, inclusive, and in line 11, strike out "fornia, or", and insert "of the State of California, or while assigned to duty with the military forces of the United States of America or of the State of California".

**Amendment No. 2**

On page 2, line 3, of the printed bill, strike out "said auxiliaries thereof or thereto, or".

Amendments read, and adopted

Bill ordered printed, and to third reading.

**Assembly Bill No. 56**—An act to add Chapter 8, comprising Sections 13775 to 13781, inclusive, to Part 3, Division 3, Title 2 of the Government Code, relating to social security coverage for state and local public employees, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 5**—An act to add Section 12006 to the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended September 25, 1950, after "county," insert "or any person designated by the sheriff, board of police commissioners, chief of police, or other head of the police department,".

**Amendment No. 2**

On page 1, line 11, of said bill, after "use", insert the word "explosives".

**Amendment No. 3**

On page 1, line 12, of said bill, strike out "the quantity of explosive specified in the permit.", and insert a period.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Drobish asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 3, at this time, for consideration.

**CONSIDERATION OF SENATE JOINT RESOLUTION NO. 3**

**Senate Joint Resolution No. 3**—Relative to the priority of schools under federal allocation program affecting construction.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Judah, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Swing, Ward, Watson, Way, Weybret, and Williams—27.

**NOES**—Senator Miller—1.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 11**—An act making an appropriation to the Attorney General to be expended during the 1950-51 Fiscal Year, to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Rich moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "fiscal year," insert "providing for the employment of special agents and investigators, declaring the urgency thereof,".

**Amendment No. 2**

In line 11 of said bill, strike out "This act makes an appropriation for the usual current expenses of the State within the meaning of Article IV of the Constitution and shall take effect immediately.", and insert "The Attorney General may employ additional special agents and investigators not exceeding 10 in number, to enable him to carry out his duties relative to sabotage and subversive activities. The special agents and investigators are exempt from the provisions of Article XXIV of the California Constitution."

**SEC. 3.** This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In view of the present world situation and the present need to enforce our laws pertaining to sabotage and subversive activities, it is necessary that the Attorney General and his office be adequately staffed to carry out his duties under the laws of the State of California "

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 34**—An act to amend the title to Chapter 3, Part 2, Division 2, to amend Sections 51, 120, 422, 551, 552, 553, 554, 555, 557, 560, 561, 562, and 640 of, and add 566 and 643.1 to the Military and Veterans Code, relating to the creation, organization and administration of a security and reserve force, the rules and regulations for government of such forces and reserves, the pay and allowances of said forces, the appointment of armory boards, federal service, Uniform Code of Military Justice, workmen's compensation, employment of members of National Guard with said forces, restoration of state duty after federal service, disposition of National Guard funds, termination of commissions and discharge of members of said forces, unemployment insurance, decorations, wearing of the uniform and composition of office of the Adjutant General, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator O'Gara.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Burns, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Johnson, Judah, Mayo, Miller, O'Gara, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—27.

NOES—None.

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

AYES—Senators Abshire, Breed, Burns, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Johnson, Judah, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 43**—An act to add Section 5048.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Dilworth.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Johnson, Judah, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—29.

NOES—None.

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

AYES—Senators Abshire, Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Johnson, Judah, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 56**—An act to add Chapter 8, comprising Sections 13775 to 13781 inclusive to Part 3, Division 3, Title 2 of the Government Code, relating to social security coverage for state and local public employees, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Desmond.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Johnson, Judah, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—29.

NOES—None.

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

AYES—Senators Abshire, Breed, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Johnson, Judah, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Secretary J. A. Beek at the Desk**

**Assembly Bill No. 63**—An act relating to institutions under the control of the Department of Mental Hygiene, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Watson.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Johnson, Judah, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Tenney, Ward, Watson, Way, Weybret, and Williams—27.

NOES—None.

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

AYES—Senators Abshire, Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Judah, Mayo, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 64**—An act relating to institutions under the control of the Department of Mental Hygiene and the use of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Watson.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Breed, Burns, Busch, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Johnson, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Watson, Way, Weybret, and Williams—28.

NOES—None.



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

**AYES**—Senators Abshire, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Johnson, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Watson, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Call of the Senate**

Senator Swing moved a call of the Senate.

Motion carried. Time, 4.05 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 39**—An act to amend Sections 20890 and 20894.5 of the Government Code and Sections 14449, 14495.2, and 14702 of the Education Code, relating to public retirement systems in respect to absence of members in military service and contributions therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Judah.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Swing, Tenney, Way, Weybret, and Williams—31.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Watson, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 40**—An act to add Sections 1502.5, 1503, 1508, and 1509, Article 2.5, comprising Sections 1518 to 1518 3, inclusive, and Article 4.5, comprising Sections 1535 to 1535.6, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to civil defense, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—34.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 46**—An act relating to institutions under the control of the Department of Mental Hygiene, declaring the urgency thereof, to take effect immediately.

**Motion to Refer Bill to Inactive File**

Senator Watson moved that Senate Bill No. 46 be placed on the inactive file.

Motion carried.

**Senate Bill No. 47**—An act relating to institutions under the control of the Department of Mental Hygiene and the use of money appropriated therefor, declaring the urgency of this act, to take effect immediately.

**Motion to Refer Bill to Inactive File**

Senator Watson moved that Senate Bill No. 47 be placed on the inactive file.

Motion carried.

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 6**—An act making an appropriation in augmentation of the appropriation in Item 179 of the Budget Act of 1950 for support of the Adjutant General and California National Guard, relating to internal security providing for the support of the California Defense and Security Corps, to take effect immediately.

Bill read third time, and presented by Senator Breed.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, and Weybret—30

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 65**—An act to add Section 5050.2 to the Education Code, relating to elections upon acceptance, expenditure, and repayment of school building apportionments, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Dilworth.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Johnson, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, and Weybret—29.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, and Weybret—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 70**—An act to add Section 5047.6 to the Education Code and to amend Sections 5072 and 5073 of said code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Dilworth.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, and Weybret—31.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, and Weybret—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 33**—An act making an appropriation for the organization and maintenance of the California Defense and Security Corps or any other authorized militia organized to replace the National Guard of this State while said guard is in active federal service, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Abshire.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Miller, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, and Weybret—30.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Kraft, McBride, Miller, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, and Weybret—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 66**—An act relating to civil defense, making an appropriation to provide facilities, equipment and services essential to the civil defense of California, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Breed.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Judah, McBride, Miller, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**MOTION RE URGENCY CLAUSE**

Senator Burns moved that the vote on the final passage of bills be deemed the vote on the urgency clause and therefore eliminating one roll call.

Senator Burns withdrew his motion.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

**MR. PRESIDENT:** The Committee on Rules, to which were referred:

Senate Resolution No. 19

Senate Resolution No. 24

Senate Resolution No. 23

Senate Resolution No. 25

Senate Concurrent Resolution No. 9

Assembly Concurrent Resolution No. 18

Assembly Concurrent Resolution No. 11

Assembly Concurrent Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

**POWERS, Chairman**

Above reported bills ordered to third reading.

**Senator Burns Presiding**

At 4.40 p.m., Senator Hugh M. Burns, of the Thirtieth District, presiding.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 18, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 18**

**Assembly Concurrent Resolution No. 18**—Relative to adjournment sine die of the 1950 Third Extraordinary Session of the Legislature of the State of California.

Resolution read, and presented by Senator Powers.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Judah, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Swing, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 7**—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Rich.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Swing, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 9**—An act making an appropriation for support of the California Disaster Act, to take effect immediately.

Bill read third time, and presented by Senator Rich.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Judah, Kraft, McBride, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 10**—An act making an appropriation for preparation of plans and specifications of an office building for the Department of Employment, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Rich.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

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

**AYES**—Senators Abshire, Burns, Busch, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Joint Resolution No. 1**—Relating to memorializing the President and Congress of the United States in respect to residential construction.

Resolution read, and presented by Senator O'Gara.

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

**AYES**—Senators Abshire, Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Judah, Mayo, McBride, O'Gara, Parkman, Regan, Rich, Swing, Ward, Watson, Weybret, and Williams—25.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Assembly Bill No. 31**—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance for dependents of veterans.

Bill read third time, and presented by Senator Abshire.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Regan, Rich, Swing, Tenney, Ward, Watson, Way, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 4.45 p.m., Hon Harold J. Powers, President pro Tempore of the Senate, presiding.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 7**—An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**UNFINISHED BUSINESS (RESUMED)**

**Consideration of Assembly Amendments**

**Senate Bill No. 34**—An act to add Section 5048.1 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 34?

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "district," insert "authorize the governing board to transfer funds from other authorized purposes if more than one purpose has been authorized in the district by the board, or to".

**Amendment No. 2**

On page 1, line 6, of said bill, after "district", insert " , or both,".

**Amendment No. 3**

On page 1, line 7, of said bill, after "apportionments", insert "or transfers".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 34 by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

**NOES**—None

Above bill ordered enrolled.

**REPORT OF COMMITTEE ON CONFERENCE**

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Conference concerning:

**Senate Bill No. 30**—An act to amend Section 5046 of the Education Code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately; consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on September 23, 1950, be further amended as follows.

On page 2, line 8, of the printed bill, as amended in Assembly September 23, 1950, after the period, insert "An apportionment made under this section shall be

final if the original apportionment has become final; otherwise it shall become final if and when the original apportionment becomes final."

DILWORTH

WAY

BUSCH

Senate Committee on Conference

BECK

DUNN

KIRKWOOD

Assembly Committee on Conference

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—34.

NOES—None.

Above bill ordered enrolled.

### THIRD READING OF SENATE BILLS (RESUMED)

#### Senate Resolution No. 23

Relative to augmenting the fund of the Senate Committee on State and Local Taxation

*Resolved by the Senate of the State of California*, That in addition to any money heretofore made available, the sum of ten thousand dollars (\$10,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Committee on State and Local Taxation (created by Senate Resolution 145, 1949 Regular Session) and its members, and for any charges, expenses, or claims it may incur under said resolution or Senate Resolution No. 34, 1950 Regular Session, to be paid from said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasurer.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—33.

NOES—None.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 8**—An act relating to the unified program for construction, improvement and equipment for state agencies, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Motion to Amend

Senator Rich moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 9, of the printed bill, as amended in Assembly on September 23, 1950, after the word "to", insert ", and may be expended upon".

#### Amendment No. 2

On page 1, line 11, of said bill, after "the", insert "estimate of the".

Amendments read, and adopted.

Bill ordered printed, and to third reading.



**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 14

Has had the same under consideration, and reports the same back with amendments without recommendation.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bill ordered to second reading.

**Request for Unanimous Consent**

Senator Abshire asked for, and was granted, unanimous consent to take up Senate Resolution No. 14, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 14**

**Senate Resolution No. 14**—Relating to installation of microphones on the desks of Members of the Senate.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules:

**Amendment No. 1**

On line 4 of the typewritten resolution, after the word "member;," strike out the balance of the resolution.

Amendment read, and adopted.

Resolution ordered amended, and to third reading.

**Request for Unanimous Consent**

Senator Abshire asked for, and was granted, unanimous consent to take up Senate Resolution No. 14, as amended, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 14, AS AMENDED**

**Senate Resolution No. 14**

Relating to installation of microphones on the desks of Members of the Senate

*Resolved by the Senate of the State of California*, That the Senate Committee on Rules is hereby requested to provide a public address system for the Senate Chamber with a microphone on the desk of each member.

Resolution read, as amended.

**Motion to Re-refer to Committee**

Senator Desmond moved that Senate Resolution No. 14 be re-referred to Committee on Rules.

**Roll Call Demanded**

Senators Desmond, Johnson, and Miller demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Senators Brown, Busch, Coombs, Crittenden, Desmond, Kraft, Mayo, McBride, Miller, Parkman, Powers, Rich, and Ward—13

NOES—Senators Abshire, Breed, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Judah, O'Gara, Regan, Tenney, Watson, Way, Weybret, and Williams—19.

**Motion to Excuse From Voting**

Senator Crittenden moved that he be excused from voting during the final passage of Senate Resolution No. 14 due to the fact he will not be here.

Motion carried.

The question being on adoption of Senate Resolution No. 14, as amended.

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

**AYES**—Senators Abshire, Breed, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Judah, O'Gara, Regan, Tenney, Ward, Watson, Way, and Weybret—19.

**NOES**—Senators Burns, Busch, Coombs, Desmond, Kraft, Mayo, McBride, Miller, Parkman, Powers, Rich, and Williams—12.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1

Assembly Bill No. 60

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 72

Assembly Bill No. 73

Assembly Bill No. 74

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

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

The following bills were read the first time:

**Assembly Bill No. 1**—An act to add Division 2B, comprising Sections 139.75 to 139.96, inclusive, to the Vehicle Code, and Section 4805 to the Labor Code, relating to the California Highway Patrol Reserve Corps, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation.

**Assembly Bill No. 60**—An act to increase production by providing for exemptions from various requirements, relating to employment and working conditions of female employees essential to the current defense program, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Labor.

**Assembly Bill No. 72**—An act to amend Section 1714.5 of the Civil Code, relating to liability of one who owns or maintains any building or premises designated as a shelter from enemy attacks.

Referred to Committee on Judiciary.

**Assembly Bill No. 73**—An act to amend Sections 403.5 and 765 of the Vehicle Code, relating to violations of the Vehicle Code in order to comply with regulations promulgated under Civil Defense Act of 1950, or the California Disaster Act.

Referred to Committee on Judiciary.

**Assembly Bill No. 74**—An act to amend and renumber Section 1714.5 of the Civil Code, relating to negligence as a matter of law, and defenses for acts or omissions in complying with orders or proclamations of military and civil authorities.

Referred to Committee on Judiciary.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.46 p.m., on motion of Senator Swing, further proceedings under the call of the Senate were dispensed with.

#### RECESS

At 4.46 p.m., on motion of Senator Burns, the Senate recessed until 4.48 p.m.

#### REASSEMBLED

At 4.48 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT : The Committee on Rules has examined :

Senate Concurrent Resolution No. 9

And reports the same correctly engrossed.

POWERS, Chairman

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to :

Assembly Bill No. 39

Assembly Bill No. 34

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

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

Senate Joint Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

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

Senate Concurrent Resolution No. 3  
Senate Concurrent Resolution No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

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

Senate Concurrent Resolution No. 5

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

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

Senate Bill No. 8  
Senate Bill No. 22  
Senate Bill No. 29

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 25

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 35  
Senate Bill No. 36

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bills ordered to unfinished business file.

## UNFINISHED BUSINESS (RESUMED)

### Consideration of Assembly Amendments

**Senate Bill No. 35**—An act to add an article heading and to add Article 2, to Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 35?

#### Amendment No. 1

On page 2, line 23, of the printed bill, after "shall", insert a comma and "notwithstanding any other provisions of this chapter,".

#### Amendment No. 2

On page 2, line 30, of said bill, after "district", insert "shall, notwithstanding any other provisions of this chapter,".

**Amendment No. 3**

On page 2, lines 38 and 39, of said bill, strike out "a district which is not eligible for an apportionment under this chapter", and insert "another district".

**Amendment No. 4**

On page 2, line 40, of said bill, after "shall", insert a comma and "notwithstanding any other provisions of this chapter,".

**Amendment No. 5**

On page 3 of said bill, strike out lines 12 to 18, inclusive.

**Amendment No. 6**

On page 4 of said bill, between lines 42 and 43, insert

"The board shall, upon receiving the appropriate certificate from a county superintendent of schools as provided herein, promptly notify the State Controller, in writing, of (1) the effective date of annexation or other inclusion of a state-aided district by an acquiring district; (2) the name of the state-aided district; (3) the name of the acquiring district; and (4) the number and other identification of the apportionment affected."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 35 by the following vote:

AYES—Senators Abshire, Brown, Burn, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Jespersen, Johnson, Judah, Kraft, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, and Weybret—28.

NOES—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 36**—An act to amend Section 5109 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 36?

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended, strike out "will be", and insert "additional will become".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 36 by the following vote:

AYES—Senators Abshire, Brown, Burn, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Jespersen, Johnson, Judah, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, and Weybret—27.

NOES—None.

Above bill ordered enrolled.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 1**—An act to add Section 1582 to the Military and Veterans Code, relating to interstate preparedness for disasters, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 10**—An act to amend Sections 4353 and 3211.92 of the Labor Code, relating to disaster service workers, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 27**—An act to amend Section 699.5 of the Military and Veterans Code, and to ratify actions of the Department of Veterans Affairs, relating to assistance to veterans and their dependents ;

**Senate Bill No. 31**—An act to add Section 5051.1 to Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately ;

**Senate Bill No. 32**—An act to amend Sections 5103 and 5107 of, and to add Section 5105.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately ;

**Senate Bill No. 33**—An act to add Section 5046.1 to the Education Code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately ;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of September, 1950, at 3 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined :

**Senate Concurrent Resolution No. 6**—Relative to approving amendments to the charter of the City of Santa Rosa, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eleventh day of April, 1950 ;

**Senate Concurrent Resolution No. 7**—Relative to approving an amendment to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1950 ;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of September, 1950, at 3 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined :

Senate Bill No. 13

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined :

Senate Bill No. 7

Senate Bill No. 14

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined :

Senate Joint Resolution No. 3

And reports the same correctly engrossed.

POWERS, Chairman

#### Committee on Labor

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Labor, to which was referred :

Assembly Bill No. 60

Has had the same under consideration, and reports the same back with the recommendation : Do pass.

Committee membership 7 ; committee vote : Ayes 5 ; absent 2.

JUDAH, Chairman

Above reported bill ordered to second reading.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered :

By Senator Judah :

*Resolved*, That Assembly Bill No. 60 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.

**Call of the Senate**

Pending the announcement of the vote, Senator Judah moved a call of the Senate.

Motion carried. Time, 4.49 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
REPORTS OF STANDING COMMITTEES**

**Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Transportation, to which was referred: Assembly Bill No. 1

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance

Committee membership 13, committee vote. Ayes 7; absent 6

DILWORTH, Vice Chairman

Above reported bill re-referred to Committee on Finance.

**MESSAGES FROM THE ASSEMBLY**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

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

Assembly Constitutional Amendment No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

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

The following bill was read the first time:

**Assembly Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XX thereof a new section to be numbered 19, relating to subversive activities.

Referred to Committee on Governmental Efficiency.

**REPORTS OF STANDING COMMITTEES****Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Constitutional Amendment No. 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

Committee membership 11; committee vote: Ayes 6; absent 5.

SWING, Chairman

Above reported resolution ordered to third reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Bill No. 72

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

WARD, Chairman

Above reported bill ordered to second reading.

**MOTION TO PRINT REPORT**

Senator Drobish moved that the following letter of transmittal of the Senate Interim Committee on Financing and Construction Problems of Schools be printed in the Journal, the preliminary report be printed in the Appendix to the Journal and that 500 copies of the preliminary report be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE INTERIM COMMITTEE ON FINANCING AND

CONSTRUCTION PROBLEMS OF SCHOOLS

CALIFORNIA LEGISLATURE, September 26, 1950

*Hon. Goodwin J. Knight*

*President of the Senate*

*State Capitol, Sacramento, California*

MR. PRESIDENT: The Senate Interim Committee on Financing and Construction Problems of Schools created by Senate Resolution No. 168 of the 1949 Regular Session of the Legislature herewith submits the preliminary report of its findings and recommendations.

This report includes two sections: Section I, Summary of Findings and Recommendations; and Section II, School Building Problems.

Respectfully submitted,

CHRIS N. JESPERSEN, Chairman



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.50 p.m., on motion of Senator Judah, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the Constitution was suspended by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hulse, Jespersen, Judah, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—28.

**NOES**—None.

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

**CONSIDERATION OF ASSEMBLY BILL NO. 60**

**Assembly Bill No. 60**—An act to increase production by providing for exemptions from various requirements, relating to employment and working conditions of female employees essential to the current defense program, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Assembly Bill No. 60**—An act to increase production by providing for exemptions from various requirements, relating to employment and working conditions of female employees essential to the current defense program, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Judah.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Jespersen asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel regarding the constitutionality of Assembly Bill No. 61 be printed in the Journal:

## OPINION OF THE LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO 2, CALIFORNIA, September 24, 1950

*Hon. Hugh M. Burns*  
*Senate Chamber*

## Loyalty Oath—No. 2602

DEAR SENATOR BURNS:

*Question*

This is in response to your request for an opinion as to the constitutionality of Assembly Bill No. 61 with respect to its requirement for the taking of a loyalty oath by public employees and volunteers in any civilian defense organization accredited by the State Disaster Council.

*Opinion*

It is our opinion that the bill is constitutional as to the requirement mentioned.

*Analysis*

Assembly Bill No. 61 adds Chapter 8 to Division 4, Title 1, of the Government Code, the following sections and provisions of which are the most material in this inquiry:

3100. Declares that the defense of our civil population is of paramount importance, and that in furtherance thereof "all public employees" are civil defense workers subject to such civilian defense activities as may be assigned to them by their supervisors or by law.

3101. Provides that the term "public employees" includes all persons other than aliens employed by the State; and that "civil defense worker" includes every public employee and volunteer in a civilian defense organization accredited by the State Disaster Council.

3102. Provides that "Subject to the provisions of Section 3 of Article XX of the Constitution," every civil defense worker shall "within the first 30 days of employment take and subscribe to the oath" required by the chapter.

3103. Sets forth the language of the oath in two paragraphs, the first providing generally for supporting and defending the Federal and California Constitutions, and the second reading:

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

-----  
(If no affiliations write in the words "No Exceptions")

and that during such time as I am a member or employee of the  
 ----- I will not advocate or become a mem-  
 (Name of public agency)  
 ber of any party or organization, political or otherwise, that advo-  
 cates the overthrow of the Government of the United States or of  
 the State of California by force or violence or other unlawful  
 means.' ”

3106. Prohibits the payment of compensation to any civil defense worker who does not take and subscribe the required oath.

3107. Provides that any civilian defense worker who knowingly makes a false statement of any material matter while taking and subscribing the oath is guilty of perjury and subject to imprisonment.

3108. Provides that any civilian defense worker who having taken the oath and while still in public employment “advocates or becomes a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence, is guilty of a felony” and punishable by imprisonment.

Section 2 of the bill requires every public employee employed on the effective date of the bill to take and subscribe to the oath within 30 days thereafter.

(1) *Effect of Section 3 of Article XX of California Constitution—Applicability of Oath to Officers*

Section 3 of Article XX of the State Constitution requires state officers to take and subscribe to the following oath or affirmation:

“ ‘I do solemnly swear (or affirm, as the case may be) 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 of -----, according to the best of my ability.’ ”

It also states:

“And no other oath, declaration, or test, shall be required as a qualification for any office or public trust.”

In this respect Assembly Bill No. 61 provides as follows:

“3102. Subject to the provisions of Section 3 of Article XX of the Constitution, all civil defense workers shall within the first 30 days of employment take and subscribe to the oath required by this chapter.”

In our opinion, the language above quoted from Assembly Bill No. 61 is susceptible of more than one interpretation. It might be said that the requirement for an oath is intended to be applicable, not only to “employees,” but also to “officers,” *to the extent that such application would be constitutionally possible*. In this connection, it should be noted that there is some authority for the proposition that officers can be required to take an oath which is not precisely that prescribed by Section 3 of Article XX, provided the provisions of the oath are substantially the same. (*Cohen v. Wright* (1863), 22 Cal. 293; *Bradley v. Clark* (1901), 133 Cal. 196; but note doubt expressed as to these cases in *Danskin v. San Diego Unified School District* (1946), 28 Cal. 2d 536, 548.)

Any construction which made this requirement for an oath applicable to officers would, however, raise difficult problems of constitutionality. It is clear that the oath prescribed by Assembly Bill No. 61, as to the requirements made in the second paragraph, cannot be said to be substantially similar to that prescribed by the Constitution. It is an established principle of construction that statutes will be interpreted so as to avoid constitutional doubts (*Miller v. Municipal Court* (1943), 22 Cal. 2d 818, 828; *Shealor v. City of Lodi* (1944) 23 Cal. 2d 647, 653; 2 Sutherland on Statutory Construction (3d ed. 1943), Sec. 4509, p. 326), and for that reason (as well as those set forth hereafter) it is our conclusion that the oath requirements of Assembly Bill No. 61 are not intended to apply to those officers included within the requirements of Section 3 of Article XX.

This conclusion is re-enforced by the technical language used in the bill. Thus, the term "public employee" is used throughout Assembly Bill No. 61 (see bill title, article title and proposed Sections 3100 and 3101), while the difference between an "officer" and an "employee" is recognized in Sections 3104 and 3105. This seems indicative of a distinction between "officer" and "employee" (see 21 Cal. Jur. 824) and of a purpose to restrict the operation of the bill to those falling in the latter category. We believe, therefore, that Assembly Bill No. 61 is not intended to apply to those persons included within the requirements of Section 3 of Article XX and that no constitutional challenge to this bill can be made successfully upon the ground that it conflicts with that section of the Constitution.

## (2) *Curtailment of Free Speech*

A question is also present as to whether Assembly Bill No. 61 constitutes an invalid curtailment of the fundamental right of free speech guaranteed by Section 9, Article I of the California Constitution and the Due Process Clause of the Fourteenth Amendment of the United States Constitution. The California provision states in this regard that "no law shall be passed to restrain or abridge the liberty of speech \* \* \*"; and the federal provision, "nor shall any state deprive any person of life, liberty or property without due process of law," a prohibition against any abridgement of the freedom of speech being included (*Near v. Minnesota* (1931), 283 U. S. 697).

In the case of *Steiner v. Darby* (1948), 88 Cal. App. 2d 481 (hearing denied by California Supreme Court; certiorari denied in *Parker v. Los Angeles County* (1949), 70 Sup. Ct. Rep. 161, on the procedural ground that the constitutional questions involved were not "ripe for decision"), an issue was presented as to whether, pursuant to a loyalty program, the Board of Supervisors of Los Angeles County could require every officer and employee within its jurisdiction to execute an oath and affidavit similar to that required by Assembly Bill No. 61.

Upholding the requirement, the court stated (88 Cal. App. 2d, at pages 490-491):

"The foregoing cases support the obvious rule that plaintiffs, as public servants, have the implied duty to support the form of government lawfully chosen by the people whom they are employed to represent, and that they impliedly agreed, when they accepted public

employment, to act as representatives of the people and not to advocate destruction of the government by force or violence. By accepting public employment they forego any privilege they may have had as private citizens to advocate the overthrow of the government by force and violence. It is inconceivable that they should be permitted to represent the people, be supported by the people, and at the same time have the privilege of advocating the overthrow of the very government by which they are employed and obtain their livelihood. If they cannot subscribe to the prescribed affidavit they may join those who serve themselves in the ranks of private employment.

“There is nothing in the foregoing rule or affidavit which in the slightest degree affects the plaintiffs’ rights of political belief or religious belief. Defendants are simply performing their duty by making proper inquiry of their employees as to their loyalty to their employer, the people of the State of California. There is nothing in the oath or affidavit which requires plaintiffs to surrender any constitutional right.”

In the quite recent case of *American Communications Association v. Douds* (1950), 94 L. Ed. (Adv. Ops.) 597, the Supreme Court of the United States upheld the constitutionality of a provision in Section 9 (h) of the Federal Labor Management Relations Act of 1947 prohibiting the National Labor Relations Board from taking certain courses of action on behalf of any labor union unless the latter filed with the board an affidavit executed by each officer of the union and each officer of any affiliated national or international union stating he was not a member of the Communist Party, and did not believe in, and was not a member or supporter of any organization believing in or teaching, the overthrow of the United States Government by force or any illegal or unconstitutional means. The contention was raised that the effect of Section 9(h) was a violation of the freedom of speech guarantee. The court conceded that the section did indeed limit free speech to some extent, but went on to say that the conflicting rights of the public weighed more heavily in the scales, considering, on the basis of findings by Congress, the substantial and relatively serious evils that probably would otherwise ensue from interruptions in the flow of commerce occasioned by political motives if communists and others who believed in the overthrow of government by force and violence could place themselves in positions of union leadership.

In the course of its opinion, the court stated (94 L. Ed. (Adv. Ops.), at page 612) :

“We have previously had occasion to consider other statutes and regulations in which the interests involved were, in large measure, like those now being considered. In *United Public Workers v. Mitchell*, 330 US 75, 91 L ed 754, 67 S Ct 556, supra, we upheld a statute which provided that employees of the Federal Government could not participate in partisan political activities, concededly a First Amendment right, if they would retain their positions. The decision was not put upon the ground that government employment is a privilege to be conferred or withheld at will. For it was recognized that Congress may not ‘enact a regulation providing that no

Republican, Jew or Negro shall be appointed to federal office, or that no federal employee shall attend Mass or take any active part in missionary work.' 330 US at 100 But the rational connection between the prohibitions of the statute and its objects, the limited scope of the bridgmont of First Amendment rights, and the large public interest in the efficiency of government service, which Congress had found necessitated the statute, led us to the conclusion that the statute may stand consistently with the First Amendment."

In the light of the foregoing authorities, it is our conclusion that the oath required by Assembly Bill No. 61 could be sustained against attack on the ground that it represents an unconstitutional curb on free speech. Not only is the oath prescribed substantially the same as that involved in *Steiner v. Darby*, but we believe that Assembly Bill No. 61 presents a situation parallel to that of concern in the *Douds* case.

Volunteers in civilian defense organizations accredited by the State Disaster Council, although possibly not clearly classifiable as public officers or employees, would seem to be in a somewhat closely related category (M. & V. C., Sec. 1951), and, consequently, our views regarding the curtailment of free speech are also applicable to them.

(3) *Prohibitions of Bills of Attainder and Ex Post Facto Laws*

The question may arise as to whether the oath provision, when coupled with the prohibition in proposed Section 3106 against the payment of compensation to any civil defense worker who has not taken the oath, is violative of the injunctions against bills of attainder and ex post facto laws in Section 16, Article I of the California Constitution and Section 9, Article I of the federal.

It has been held that a legislative act having the effect of completely barring particular individuals or an identifiable group of people from engaging in their usual occupations because of past beliefs, affiliations, loyalties or actions, is the equivalent of the imposition of punishment without a judicial trial and therefore bad on the basis of the federal proscription, *United States v. Lovett* (1946) 90 L. Ed. 1252; *Ex parte Garland* (1866), 18 L. Ed. 366; *Cummings v. Missouri* (1866), 18 L. Ed. 356. An argument was made in *American Communications Ass'n. v. Douds*, supra, that this principle prohibited the application of the law there involved to any union leader who might refuse to take the oath and thereby suffer possible loss of his position. The court, however, distinguished the earlier cases by saying that in the laws considered by them the purpose was to punish for past conduct, and there was nothing that any person affected could do to change that result, either by taking an oath or otherwise, whereas in the matter before it the intent was "to prevent future action rather than to punish past action," and in keeping therewith any union leader could renounce his past beliefs, loyalties, allegiances and actions, and thereby remove the bar to his taking the oath and protect himself in his position (94 L. Ed. (Adv. Ops.) 6(6)).

We believe that the effect of Assembly Bill 61 on those required by it to take the oath which it prescribes is similar to that of the oath in the *Douds* case. No one affected, including any person who in the past was affiliated with any subversive organization, is precluded from taking the oath.

The only punishments prescribed are not for any past conduct but only for the *present* act of failing to take the oath (insofar as such failure may result in nonpayment of compensation), the *present* act of committing perjury in the taking of the oath, and the *future* act of engaging in subversive activities or becoming a member of a subversive organization.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By J. GOULD, Deputy

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 61**—An act to add Chapter 8 to Division 4, Title 1, of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, making an appropriation for administrative expenses in connection therewith, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Burns.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

NOES—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Jespersen, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XX thereof a new section to be numbered 19, relating to subversive activities.

Resolution read, and presented by Senator Tenney.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote. Senator Tenney moved a call of the Senate.

Motion carried. Time 4.51 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined:  
Senate Bill No. 30

And reports the same correctly engrossed.

POWERS, Chairman

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:  
Senate Bill No. 40

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:  
Senate Joint Resolution No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:  
Senate Bill No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

**RESOLUTIONS**

The following resolution was offered:

By Senators Tenney, Crittenden, Dilworth, Desmond, and Burns:

**Senate Resolution No. 32**

Relative to the marriage of Rosemary Donnelly, daughter of Senator Donnelly,  
and Richard A. Bristow

WHEREAS, Rosemary Donnelly, daughter of Senator Donnelly, was married in Turlock on August 27, 1950, to Mr. Richard A. Bristow, son of Mr. and Mrs. Arthur R. Bristow, of Turlock; and

WHEREAS, Rosemary is well known to the Members of the Senate, having first come to Sacramento in 1935 with Senator Donnelly at the age of six when Senator Donnelly was a Member of the Assembly; and

WHEREAS, Rosemary is a graduate of Turlock High School and attended Sacramento Junior College, thereafter teaching music in Turlock; and

WHEREAS, Mr. Bristow is a veteran of the Pacific campaign in World War II, a graduate of Turlock High School and Modesto Junior College, and is now attending Sacramento State College; and

WHEREAS, This young man had an enviable record in World War II, and is highly respected in his community; and

WHEREAS, The happiness of this young couple has brought joy to the hearts of their many friends and to the Members of this Senate; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Senate hereby extends its hearty felicitations to Rosemary and congratulations to Richard, and wishes them a lifetime of happiness and success; and be it further



*Resolved*, That the Secretary of the Senate be, and he is hereby instructed, to prepare a suitable copy of this resolution and transmit the same to Mr. and Mrs Richard A. Bristow.

Resolution read, and on motion of Senator Tenney, unanimously adopted.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 49**—An act to amend Section 14702 of the Education Code, relating to members of school district retirement systems in the armed service.

Bill read third time, and presented by Senator O'Gara.

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

**AYES**—Senators Abshire, Breed, Brown, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.52 p.m., on motion of Senator Tenney, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 1 adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senator Burns Presiding**

At 4.53 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 11**—An act making an appropriation to the Attorney General to be expended during the 1950-51 Fiscal Year, to take effect immediately.

Bill read third time, and presented by Senator Rich.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 47**—An act to add Section 29 to the Education Code, relating to the definition of the word "war" as used in said code, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 52**—An act to add Sections 1502.5, 1503, 1508, and 1509, Article 2.5, comprising Sections 1518 to 1518.3, inclusive, and Article 4.5, comprising Sections 1535 to 1535.6, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to civil defense, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Williams.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Resolution No. 19

Relative to augmenting the funds of the Senate Interim Committee on Workmen's Compensation Benefits

*Resolved by the Senate of the State of California*, That in addition to any money heretofore made available, the sum of three thousand five hundred dollars (\$3,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Interim Committee on Workmen's Compensation Benefits (created by Senate Resolution No. 153, 1949 General Session) and its members, and for any charges, expenses, or claims it may incur under said resolution, to be paid from said contingent fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

NOES—None.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Resolution No. 24

Relative to Proposition No. 1 which will be submitted to the voters at the general election Tuesday, November 7, 1950

WHEREAS, Proposition No. 1 as to be submitted to the voters on November 7, 1950, would eliminate all taxes on personal property; and

WHEREAS, Competent fiscal experts place the total annual revenue derived by state and local governments from personal property taxation at a minimum of \$155,093,000 plus a possible addition of \$44,200,000 which represents the auto in lieu tax collected by the State for county and city use and the loss of which can only be determined by court decision; and

WHEREAS, More than 21 percent of local tax collections come from personal property tax assessment and this loss in revenue obviously would have to be replaced immediately as it represents revenue already pledged for expenditure by state and local governments, and Proposition No. 1 makes no provision for replacement of the lost revenue, and state and local government expenditures for the fiscal year have been budgeted on the basis of the present tax structure, and passage of Proposition No. 1 would immediately throw almost every governmental budget out of balance, necessitating hurried imposition of new taxes; and

WHEREAS, Proposition No. 1 thus becomes a measure not to cut taxes but to shift them, the money still having to be raised; and

WHEREAS, That revenue undoubtedly could only be raised by imposition of municipal income taxes, vastly increased sales taxes, or taxes of staggering proportions on real property; and

WHEREAS, Only a small portion of personal property tax collections come from the nominal assessments on household goods—the bulk of collections coming from a special class of business concerns which own little or no real property but carry heavy inventories of equipment, parts and goods; and

WHEREAS, Under Proposition No. 1 it at once becomes apparent that these taxpayers would shift the major part of their rightful taxes to the already heavily-burdened general public; and

WHEREAS, Fiscal experts estimate that the state-wide average tax rate on real property would have to be raised from \$5.37 to \$6.71 to compensate for loss of revenue from passage of Proposition No. 1, for example, in one California city, the average homeowner's annual tax bill would have to be increased by \$75.76 in the face of promises of property tax reduction; and

WHEREAS, If the revenue lost were made up by business license and local sales taxes, it is estimated that local sales taxes up to 5½ cents on each dollar of sales would be necessary; and

WHEREAS, Proposition No. 1 also is a direct threat to California's already distressed educational system as 22 percent of local funds used for school operations come from personal property taxes; and

WHEREAS, This special session of the Legislature was called, among other reasons, to correct a flaw in the implementation of the 250 million dollar school bond program

voted in 1949, and we now know that the only possible relief for hundreds of school districts, if Proposition No. 1 carries, would be to apply for aid under the school bond program and that that program would be vastly inadequate to meet the increased demands; and

WHEREAS, Unless emergency legislation is passed immediately to provide funds to make up the loss of revenue under Proposition No. 1 teachers' salaries and other school operation costs now contracted for could not be met in full despite the fact that in 1946 the people went to the polls and set minimum salary standards for California teachers to avert a teacher shortage; now, therefore, be it

*Resolved by the Senate of the State of California*, That it is the sense of the Senate that Proposition No. 1, which would require drastic revision of California's tax structure, both state and local, by providing for a shift of the taxes of one class of taxpayer to another already overburdened general taxpayer, is ill conceived in the extreme; and be it further

*Resolved*, That this Senate thoroughly condemns Proposition No. 1 as an unfair and unwise measure which would only work hardship on the people of the State under the spurious guise of offering tax relief, and this Senate urges a "No" vote on Proposition No. 1 as being in the best interest of the citizens of California.

Resolution read, and on motion of Senator Hulse, adopted.

**Motion to Mail Copies of Senate Resolution No. 24**

Senator Hulse moved that the Secretary of the Senate be instructed to send a copy of Senate Resolution No. 24 to each city council and each member of board of supervisors in the State.

Motion carried.

**Senate Resolution No. 25**

**Relative to subversive activities**

WHEREAS, The Congress of the United States of America has enacted into law the "Subversive Activities Control Act of 1950"; and

WHEREAS, The Subversive Activities Control Act of 1950 provides for the registration of communist-action organizations, communist front organizations, and members thereof; and

WHEREAS, Legislation now pending before the Legislature of the State of California may conflict with said Subversive Activities Control Act of 1950 as enacted by the Congress; and

WHEREAS, Several cities and counties of this State have enacted ordinances requiring the registration of the members of certain organizations which are operated primarily for the purpose of advancing the objectives of the world communist movement by unlawful means, and the enactment of legislation by the State Legislature in conflict with such local ordinances would have the effect of rendering said local ordinances unenforceable by reason of the provisions of Section 11 of Article XI of the State Constitution; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Senate Interim Committee on Un-American Activities be and is hereby directed to give consideration to the propriety and necessity for state legislation with respect to the control of subversive activities within this State and report its recommendations thereon at its earliest possible convenience after the convening of the regular session of the Legislature in January, 1951.

Resolution read, and on motion of Senator Burns, adopted.

**Senate Concurrent Resolution No. 9**—Relative to cessation of further proceedings in the matter of the contemplated removal of the California Institution for Women, from the present site at Tehachapi to another location near Chino.

Resolution read.

**Previous Question**

Senator Rich moved the previous question.

Motion carried.

The question being on the adoption of Senate Concurrent Resolution No. 9.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Donnelly, Dorsey, Hulse, Johnson, Judah, Kraft, Miller, Tenney, Ward, Watson, Way, and Williams—21.

**NOES**—Senators Dillinger, Dilworth, Drobish, Hatfield, Jespersen, Mayo, McBride, Parkman, Powers, Rich, Swing, and Weybret—12.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to :

Assembly Bill No. 11  
Assembly Bill No. 47  
Assembly Bill No. 49  
Assembly Bill No. 52

Assembly Bill No. 61  
Assembly Bill No. 34  
Assembly Bill No. 39

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

**MR. PRESIDENT:** The Committee on Rules, to which were referred :

Senate Resolution No. 30  
Senate Concurrent Resolution No. 8

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

Committee membership 5 ; committee vote : Ayes 5.

POWERS, Chairman

Above reported resolutions ordered to second reading.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Resolution No. 30**—Relative to directing the Senate Committee on Rules to set aside funds for the Special Senate Committee on Legislative Representation established by Senate Resolution No. 6 (1950 Third Extraordinary Session).

Resolution read.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules :

**Amendment No. 1**

On line 3 of the typewritten resolution, insert "two thousand five hundred dollars (\$2,500)".

Amendment read, and adopted.

Resolution ordered amended.

**Request for Unanimous Consent**

Senator Ward asked for, and was granted, unanimous consent to take up Senate Resolution No. 30, as amended, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 30, AS AMENDED****Senate Resolution No. 30**

Relative to directing the Senate Committee on Rules to set aside funds for the Special Senate Committee on Legislative Representation established by Senate Resolution No. 6 (1950 Third Extraordinary Session)

*Resolved by the Senate of the State of California*, That the Senate Committee on Rules be directed to set aside two thousand five hundred dollars (\$2,500) from the Contingent Fund of the Senate for the payment of any and all expenses incurred by the Special Senate Committee on Legislative Representation or its members pursuant to Senate Resolution No. 6 (1950 Third Extraordinary Session); the unexpended balance of such sum to revert to the said contingent fund 10 days after the convening of the Legislature at its 1951 Regular Session.

Resolution read as amended.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—33.  
NOES—None.

**Senate Concurrent Resolution No. 8**—Relative to participation by the State in the stockpiling of essential minerals for the national defense.

Resolution read.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules:

**Amendment No. 1**

On line 22 of the printed resolution, after the word "Government," strike out balance of line 22, line 23, and "ment" on line 24.

Amendment read, and adopted.

Resolution ordered amended.

**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 8, as amended at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8  
AS AMENDED**

**Senate Concurrent Resolution No. 8**—Relative to participation by the State in the stockpiling of essential minerals for the national defense.

Resolution read, as amended.

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

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.  
NOES—None.

Resolution ordered transmitted to the Assembly.

# REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

## Request for Unanimous Consent

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Resolution No. 31, at this time, for consideration.

# CONSIDERATION OF SENATE RESOLUTION NO. 31

## Senate Resolution No. 31

Relative to requesting the United States State Department to make available to the California Senate Investigating Committee on Education certain information relating to Californians traveling to and from the Union of Soviet Socialist Republics

WHEREAS, There are two major powers in the world today, the United States and the Union of Soviet Socialist Republics; and

WHEREAS, The Soviet Government is currently engaged in world-wide conspiracy to incite civil war in the free nations and has a powerful secret conspiracy organized and active in this Country which presents a clear and present danger to our national safety; and

WHEREAS, The Soviet conspiracy communications operate by means of couriers between this Country and Moscow; and

WHEREAS, The Senate Investigating Committee on Education in pursuing its inquiry into communist propaganda has requested information from the United States State Department about the names of Californians obtaining passports to travel to and from the Soviet; and

WHEREAS, It is evident that contacts between the communist organization in California and the Soviet Government are being maintained by couriers who travel on passports; and

WHEREAS, It would be very helpful to the Senate Interim Committee on Education to identify these important agents of the Soviet engaged in conspiracy to overthrow our government both state and national; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Senate of the State of California hereby urgently requests the representatives in Congress from the State of California to do everything in their power to make available to the Senate Interim Committee on Education the information requested about Californians traveling to and from the Soviet; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and on motion of Senator Dilworth, adopted.

# THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 17**—An act to add Section 1501.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to provision for the needs of the relatives with whom such children are living, and declaring the urgency thereof, to take effect immediately.

## Motion to Re-refer Senate Bill No. 17

Senator Dillinger moved that Senate Bill No. 17 be re-referred to Committee on Social Welfare.

Motion carried.

**Senator Mayo Presiding**

At 4.54 p.m., Senator Jesse M. Mayo, of the Twenty-sixth District, residing.

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 8**—An act relating to the unified program for instruction, improvement and equipment for state agencies, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Hulse.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—33.  
**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Hatfield, Hulse, Johnson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 17**—Relative to adjournment in respect to the memory of former Assemblyman A. J. Mathews.

Resolution read, and presented by Senator Powers.

Resolution read, and adopted by rising vote of the following Senators :

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—37.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 14**—Relative to the award of the Nobel Peace Prize to Doctor Ralph J. Bunche.

Resolution read, and presented by Senator Hatfield.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32.  
**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 11**—Relating to domestic espionage, sabotage, subversive activities and related matters.

Resolution read, and presented by Senator Drobish.



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

AYES—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Joint Resolution No. 2**—Relative to the priority of schools under federal allocation program affecting construction.

Resolution read, and presented by Senator Dilworth.

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

AYES—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Bill No. 35**—An act to amend Sections 395 and 395.1 of the Military and Veterans Code, relating to rights of public officers and employees to return to office or employment after military service, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Desmond.

#### Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Tenney, Ward, Watson, Way, Weybret, and Williams—33.

NOES—None.

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

AYES—Senators Abshire, Breed, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 48**—An act to add Section 18 to the Military and Veterans Code, relating to the definition of the word "war," declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

#### Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, Parkman, Powers, Regan, Rich, Swing, Tenney, Watson, Way, Weybret, and Williams—29.

NOES—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

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

Assembly Concurrent Resolution No. 15

Assembly Concurrent Resolution No. 20

Assembly Joint Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By HAROLD F. LEWRIGHT, Assistant Clerk

**Assembly Concurrent Resolution No. 15**—Relative to congratulating the Department of Public Works upon the Centennial Edition of its magazine and commending its editor, Kenneth Adams.

Resolution ordered held at the desk.

**Assembly Concurrent Resolution No. 20**—Relative to interpretation of Section 17.5 of the Budget Act of 1950.

Resolution ordered held at the desk.

**Assembly Joint Resolution No. 4**—Relating to memorializing the President and the Congress of the United States in respect to the welfare and recreational needs of servicemen training in California.

Resolution ordered held at the desk.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Judah asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 15, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 15**

**Assembly Concurrent Resolution No. 15**—Relative to congratulating the Department of Public Works upon the Centennial Edition of its magazine and commending its editor, Kenneth Adams.

Resolution read, and presented by Senator Judah.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Mayo, McBride, Miller, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, and Way—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Johnson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 4, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 4**

**Assembly Joint Resolution No. 4**—Relating to memorializing the President and the Congress of the United States in respect to the welfare and recreational needs of servicemen training in California.

Resolution read, and presented by Senator Johnson.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Jespersen, Johnson,

Judah, Mayo, McBride, Miller, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, and Way—28.

NOES—Senator Desmond—1.

Resolution ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 8

And reports the same correctly engrossed.

POWERS, Chairman

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Joint Resolution No. 1

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

### Request for Unanimous Consent

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 1, at this time, for consideration of Assembly amendments.

### Consideration of Assembly Amendments

**Senate Joint Resolution No. 1**—Relative to the United States Marines.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Joint Resolution No. 1?

#### Amendment No. 1

On page 2, line 10, of the printed measure, after "cooperation", strike out the comma (,), and insert "with other branches of the armed forces,".

The roll was called, and the Senate concurred in Assembly amendment to Senate Joint Resolution No. 1 by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Dillinger, Dilworth, Dorsey, Drobish, Johnson, Mayo, McBride, Miller, Parkman, Powers, Regan, Tenney, Ward, Watson, Way, Weybret, and Williams—21.

NOES—None.

Above resolution ordered enrolled.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 5**—An act to add Section 12006 to the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

### Motion to Refer Bill to Inactive File

Senator Brown moved that Assembly Bill No. 5 be placed on the inactive file.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Messrs. Grunsky, Dickey, and Beck appeared at the bar of the Senate and announced that the Assembly had completed its work, and was ready to adjourn sine die.

**RESOLUTIONS**

The following resolutions were offered :

By Senator Mayo :

**Senate Resolution No. 33**

*Resolved*, That a Committee of Three be appointed to notify the Governor that the Senate is ready to adjourn sine die, pursuant to the provisions of Assembly Concurrent Resolution No. 18, and to ask if the Governor has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Mayo, adopted.

Pursuant to the above resolution, the President announced the appointment of Senators Mayo, Williams, and Regan.

By Senator Miller :

**Senate Resolution No. 34**

*Resolved*, That a Committee of Three be appointed to notify the Assembly that the Senate is ready to adjourn sine die, pursuant to the provisions of Assembly Concurrent Resolution No. 18, and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Miller, adopted.

Pursuant to the above resolution, the President announced the appointment of Senators Miller, Dilworth, and Desmond.

**MOTION TO APPROVE JOURNALS**

Senator Brown moved that the Journals of Wednesday, September 20, 1950; Thursday, September 21, 1950; Friday, September 22, 1950; Saturday, September 23, 1950; and Monday, September 25, 1950, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**Senator Ward Presiding**

At 4.58 p.m., Senator Clarence C Ward of the Thirty-first District, presiding.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Resolution of the Senate Committee on Rules, relating to appointments by the Governor subject to Senate confirmation

MR. PRESIDENT: The Committee on Rules adopted the following resolution:

WHEREAS, This special session of the Legislature has been convened primarily to consider legislation pertaining to the national defense and it is essential that its work be completed and the session adjourned at the earliest feasible date; and

WHEREAS, It appears that neither the Senate nor this committee will have sufficient time during this session to give adequate consideration to approval of appointments of state officers that have been or may be made by the Governor subject to Senate confirmation; now, therefore, be it

*Resolved by the Senate Committee on Rules*, That the Governor of this State is respectfully requested to withhold the submission to the Senate of all names of persons appointed to state offices subject to Senate confirmation until the 1951 Regular Session; and be it further

*Resolved*, That the Chairman of the Senate Committee on Rules shall transmit a copy of this resolution to the Governor of the State of California.

**REPORTS OF SPECIAL COMMITTEES**

Senators Mayo, Williams, and Regan appointed to wait upon the Governor and notify him of the readiness of the Senate to adjourn sine die, reported they had performed their duty.

Senators Miller, Dilworth, and Desmond appointed to notify the Assembly of the readiness of the Senate to adjourn sine die, reported they had performed their duty.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 6**—An act making an appropriation for the contingent expenses of the Senate, including committee expenses, to take effect immediately; And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-sixth day of September, 1950, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 7**—An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately;

**Senate Bill No. 8**—An act to add Section 12006 to the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 22**—An act to amend Section 5050 of the Education Code, relating to apportionments of state school building aid, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 29**—An act to amend Sections 5055 and 5056 of, and to add Sections 5048.2 and 5057.1 to, Chapter 1.6 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 30**—An act to amend Section 5046 of the Education Code, and to add Section 5048.6 to said code, relating to apportionments to school districts from the Public School Building Loan Fund, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 34**—An act to add Section 5048.1 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of September, 1950, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 35**—An act to add an article heading and to add Article 2, to Chapter 1.66 of Division 3 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 36**—An act to amend Section 5109 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 40**—An act to add Sections 1502.5, 1503, 1508, and 1509, Article 2.5, comprising Sections 1518 to 1518.3, inclusive, and Article 4.5, comprising Sections 1535 to 1535.6, inclusive, to Chapter 1 of Division 7 of the Military and Veterans Code, relating to civil defense, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of September, 1950, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 3**—Relative to commending the Federal Bureau of Investigation and urging all persons to cooperate with it in combating sabotage, espionage and subversive activities.

**Senate Concurrent Resolution No. 5**—Relative to the suppression of beet leafhoppers.

**Senate Concurrent Resolution No. 10**—Relating to adjournment in respect to the memory of Mrs. Agnes Lillian Coyle Regan;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of September, 1950, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 1**—Relative to the United States Marines;

**Senate Joint Resolution No. 3**—Relative to the priority of schools under federal allocation program affecting construction;

**Senate Joint Resolution No. 4**—Relative to memorializing Congress and the Department of Agriculture to have research and investigation on beet leafhoppers in California undertaken by the United States Bureau of Entomology and Plant Quarantine;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of September, 1950, at 4 p.m.

POWERS, Chairman

#### Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 11

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

GIBSON, Chairman

#### Committee on Education

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 21

Senate Bill No. 44

Senate Bill No. 37

Senate Bill No. 45

Senate Bill No. 38

Senate Bill No. 48

Senate Constitutional Amendment No. 1

Assembly Bill No. 12

Assembly Bill No. 24

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

DILWORTH, Vice Chairman

Above reported Assembly bills ordered transmitted to the Assembly.

#### Committee on Elections

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Bill No. 39

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

WEYBRET, Chairman

#### Committee on Finance

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 18

Senate Bill No. 20

Senate Bill No. 19

Senate Bill No. 26

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

RICH, Chairman

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 1

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

RICH, Chairman

Above reported Assembly bill ordered transmitted to the Assembly.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 49  
Senate Bill No. 50  
Senate Bill No. 51

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

SWING, Chairman

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 73  
Assembly Bill No. 74

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

WARD, Chairman

Above reported Assembly bills ordered transmitted to the Assembly.

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 52

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

WARD, Chairman

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 41

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

JUDAH, Chairman

**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 30

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

O'GARA, Vice Chairman

Above reported Assembly bill ordered transmitted to the Assembly.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Joint Resolution No. 2	Senate Resolution No. 21
Senate Joint Resolution No. 3	Senate Resolution No. 29

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

POWERS, Chairman

**Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 17

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

DILLINGER, Chairman

**Committee on Natural Resources**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:  
Senate Bill No. 43

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

BROWN, Vice Chairman

**Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Bill No. 12

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

DILWORTH, Vice Chairman

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day returned without further action:

Senate Bill No. 9

Senate Bill No. 28

Senate Bill No. 42

Senate Concurrent Resolution No. 4

Senate Concurrent Resolution No. 8

Senate Concurrent Resolution No. 9

Senate Constitutional Amendment No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, September 26, 1950

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 8

Assembly Bill No. 35

Assembly Bill No. 48

Assembly Joint Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

**MOTION TO APPROVE MINUTES**

Senator Brown moved that the minutes of this legislative day, September 26, 1950, be read and approved as read.

Motion carried.

**MOTION TO ADJOURN**

Senator Powers moved that pursuant to the provisions of Assembly Concurrent Resolution No. 18 of the 1950 Third Extraordinary Session, the Senate do now adjourn sine die.

**FINAL ADJOURNMENT**

Whereupon at 5 p m, Senator Clarence C. Ward of the Thirty-first District, presiding, declared the 1950 Third Extraordinary Session of the Senate of the State of California adjourned sine die out of respect to the memory of Lyman Maurice King, Mrs. Agnes Lillian Coyle Regan, mother of Senator Edwin J. Regan, and A. J. Matthews.

JOHN F. LEA, Minute Clerk